

# **45 and 23-43 Tattersall Road, Kings Park**

## **Phase I Environmental Site Assessment**

For Sell and Parker


July 2014

0226308\_FINAL

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## 45 and 23-43 Tattersall Road, Kings Park

### *Phase I Environmental Site Assessment*

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*Environmental Resources Management Australia Pty Ltd Quality System*

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Sell and Parker

45 and 23-43 Tattersall  
Road, Kings Park  
*Phase I Environmental Site  
Assessment*

July 2014

Reference: 0226308\_Phase1ESA\_Rp01

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## **CONTENTS**

<b>1</b>	<b>INTRODUCTION</b>	
1.1	BACKGROUND	1
1.2	ASSESSMENT OBJECTIVES	1
1.3	SCOPE OF WORKS	1
1.4	LIMITATIONS	2
<b>2</b>	<b>PROPERTY DETAILS AND BACKGROUND INFORMATION</b>	
2.1	LOCATION	3
2.2	CURRENT PROPERTY DESCRIPTION AND OPERATIONS	4
2.2.1	45 TATTERSALL ROAD	4
2.2.2	23-43 TATTERSALL ROAD	7
2.3	ADJACENT LAND USES	9
2.4	PREVIOUS INVESTIGATIONS	10
2.4.1	45 TATTERSALL ROAD	10
2.4.2	23-43 TATTERSALL ROAD	13
<b>3</b>	<b>HISTORY</b>	
3.1	HISTORIC CERTIFICATE OF TITLES REVIEW	14
3.2	AERIAL PHOTOGRAPHY REVIEW	15
3.3	BLACKTOWN CITY COUNCIL – PLANNING CERTIFICATE	18
3.4	PREVIOUS DEVELOPMENT APPROVALS	20
3.5	WORKCOVER RECORDS	21
3.6	NSW EPA BACKGROUND REGISTER SEARCHES	23
3.7	GROUNDWATER BORE SEARCHES	24
3.8	ANECDOTAL INFORMATION	26
3.9	INTEGRITY ASSESSMENT	26
<b>4</b>	<b>PROPERTY DESCRIPTION</b>	
4.1	TOPOGRAPHY	27
4.2	REGIONAL GEOLOGY AND SOIL LANDSCAPE	27
4.3	REGIONAL AND LOCAL SURFACE WATER	28
4.4	REGIONAL AND LOCAL HYDROGEOLOGY	28
4.5	REGIONAL CLIMATE	29
4.5.1	TEMPERATURE	29
4.5.2	RAINFALL	29
4.6	WATER AND WASTEWATER	30
4.6.1	WATER SUPPLY	30
4.6.2	STORMWATER	30
4.6.3	WASTEWATER	30
4.7	WASTE MANAGEMENT	31
4.8	UNDERGROUND SERVICES	31
4.8.1	ELECTRICITY	31
4.8.2	GAS	32
4.8.3	TELECOMMUNICATIONS	32
4.8.4	WATER/SEWER	32

## CONTENTS

5	CONCEPTUAL SITE MODEL	
5.1	SOURCE AREAS	33
5.2	PATHWAYS	34
5.3	RECEPTORS	35
5.4	SPR LINKAGES	35
6	CONCLUSIONS AND RECOMMENDATIONS	

ANNEX A	FIGURES	
ANNEX B	PHOTOGRAPHIC LOG	
ANNEX C	HISTORICAL TITLE SEARCH	
ANNEX D	BLACKTOWN CITY COUNCIL S149 (2) AND (5) PLANNING CERTIFICATES	
ANNEX E	PREVIOUS DEVELOPMENT CONSENTS	
ANNEX F	WORKCOVER DANGEROUS GOODS SEARCH	
ANNEX G	EPA BACKGROUND REGISTER SEARCH	
ANNEX H	OFFICE OF WATER GROUND WATER BORE SEARCH	
ANNEX I	PLAN SHOWING RESTRICTION ON USE OF LAND AT LOT 5 DP7086	
ANNEX J	UNDERGROUND SERVICE PLANS	
ANNEX K	CONCEPTUAL SITE MODEL (CSM)	

## LIST OF TABLES

TABLE 2.1	PROPERTY IDENTIFICATION DETAILS – 45 TATTERSALL ROAD	3
TABLE 2.2	PROPERTY IDENTIFICATION DETAILS – 23-43 TATTERSALL ROAD	3
TABLE 2.3	CURRENT LAND USES SURROUNDING 45 AND 23-43 TATTERSALL ROAD	9
TABLE 3.1	HISTORICAL TITLE SEARCH – LOT 5, DP7086 (45 TATTERSALL ROAD)	14
TABLE 3.2	HISTORICAL TITLE SEARCH – LOT 2, DP550522 (23-43 TATTERSALL ROAD)	14
TABLE 3.3	DANGEROUS GOODS CURRENTLY STORED AT EACH PROPERTY	22
TABLE 3.4	LICENSED BORES WITHIN ONE KILOMETRE RADIUS OF 45 AND 23-43 TATTERSALL ROAD	25
TABLE 4.1	BUREAU OF METEOROLOGY AUTOMATIC WEATHER STATIONS REFERENCED IN THIS REPORT	29
TABLE 4.2	MONTHLY TEMPERATURE DATA FOR BLACKTOWN, NSW	29
TABLE 4.3	MONTHLY PRECIPITATION DATA FOR BLACKTOWN, NSW	30

# 1 INTRODUCTION

## 1.1 BACKGROUND

Environmental Resources Management Australia Pty Ltd (ERM) was commissioned by Sell and Parker Pty Ltd (Sell and Parker) to undertake a Phase 1 Environmental Site Assessment (ESA) at two adjoining properties, owned by Sell and Parker, at 45 and 23-43 Tattersall Road, Kings Park, NSW (refer Figure 1, Annex A).

## 1.2 ASSESSMENT OBJECTIVES

The overarching objective for Sell and Parker is to assess and confirm the suitability of both properties for the ongoing land use zoning of “4A - Industrial - General” as described in the *Blacktown Local Environmental Plan 1988* (Blacktown LEP).

The objective of this Phase I ESA is to provide information regarding the environmental condition of both properties and potential contamination that may be present (specifically with regard to potential impacts to soil and groundwater). This Phase I ESA will form part of a broader Environmental Impact Statement (EIS) being prepared for the proposed expansion of the existing waste metal recovery, processing and recycling facility, currently located at 45 Tattersall Road. The expanded operations will encompass 23-43 Tattersall Road, immediately to the east of 45 Tattersall Road.

## 1.3 SCOPE OF WORKS

In order to meet the project objective stated above, ERM undertook the following scope of works:

- a walkover of each property on 19 June 2014 to visually identify potential sources of soil and groundwater impacts at each property;
- background database review, comprised of a review of publicly available information on each property where available, including:
  - relevant NSW Environment Protection Authority (EPA) information (Environment Protection Licence register, contaminated land registers);
  - Blacktown City Council (BCC) publically available information and Section 149(2) and (5) Certificate search;
  - NSW WorkCover dangerous goods search;
  - groundwater bore search information;
  - historical aerial photographs;
  - historical Certificates of Title, where available;

- environmental setting review, comprised of a review of available geological, hydrogeological and hydrological maps of the area in which the each property is located; and
- preparation of this Phase 1 ESA report.

The assessment was limited to the evaluation of potential soil and groundwater impacts and did not include occupational health and safety. No soil, groundwater, surface water or any other media have been sampled or analysed as part of this Phase 1 ESA.

#### 1.4

#### *LIMITATIONS*

The findings of this report are based on the Scope of Work described above. ERM performed the services in a manner consistent with the normal level of care and expertise exercised by members of the environmental auditing profession. No warranties, expressed or implied, are made.

Subject to the Scope of Work, ERM's assessment is limited strictly to identifying observable conditions associated with potential soil and groundwater environmental liability on the subject property and does not include evaluation of any other issues.

This report is not intended to be used for the purposes of tendering, programming of works, refurbishment works or demolition works unless used in conjunction with a specification detailing the extent of the works. To ensure its contextual integrity, the report must be read in its entirety and should not be copied, distributed or referred to in part only.

This report is based upon information obtained by ERM, during a walkover of each property on 19 June 2014 in compilation with information from regulatory agencies. While normal assessments of data reliability have been made, ERM assumes no responsibility or liability for errors in any data obtained from regulatory agencies, statements from sources outside of ERM, or developments resulting from situations outside the scope of this project.

ERM is not engaged in environmental auditing and reporting for the purpose of advertising, sales, promoting, or endorsement of any client interests, including raising investment capital, recommending investment decisions, or other publicity purposes. Sell and Parker acknowledges that this report is for the exclusive use of the client, its representatives and advisers and investors, lenders, underwriters and financiers who agreed to execute a reliance letter, and the client agrees that ERM's report or correspondence will not be, except as set forth herein, used or reproduced in full or in part for such promotional purposes, and may not be used or relied upon in any prospectus or offering circular.

## 2.1

## LOCATION

Both properties, 45 Tattersall Road (Lot 5 DP 7086) and 23-43 Tattersall Road (Lot 2 DP 550522) are located within the Kings Park industrial estate, Kings Park, NSW. Access to both properties is gained from Tattersall Road, which is primarily serviced by Vardys Road to the north and Sunnyholt Road to the east.

The location of each property is shown in *Figure 1, Annex A*.

Property identification details are included in *Table 2.1* and *2.2* below.

**Table 2.1** *Property Identification Details – 45 Tattersall Road*

Location	45 Tattersall Road, Kings Park.
Formal Identification	Lot 5 DP 7086.
Description	Sell and Parker's existing waste metal recovery, processing and recycling facility.
Area	2.86ha.
Current Zoning (Blacktown LEP 1988)	4(a) Industrial – General.
Proposed Zoning (Draft Blacktown LEP 2013)	IN1 – General Industrial.
Ownership	Sell and Parker Pty Ltd.

**Table 2.2** *Property Identification Details – 23-43 Tattersall Road*

Location	23-43 Tattersall Road, Kings Park.
Formal Identification	Lot 2 DP 550522.
Description	Occupied by Dexion for manufacturing of pallet racking, industrial and office storage equipment. (future expansion area of Sell and Parker's waste metal recovery, processing and recycling facility).
Area	3.24ha.
Current Zoning (Blacktown LEP 1988)	4(a) Industrial – General.
Proposed Zoning (Draft Blacktown LEP 2013)	IN1 – General Industrial.
Ownership	Sell and Parker Pty Ltd (currently leased by Dexion).

Although both 45 and 23-43 Tattersall Road are owned by Sell and Parker, they are currently operated as separated businesses. Sell and Parker currently own and operate a waste metal recovery, processing and recycling facility at 45 Tattersall Road, while 23-43 Tattersall Road is currently occupied by Dexion, a manufacturer of pallet racking, industrial and office storage equipment.

The following sections provide a detailed description of each property and their current operations. The descriptions are based on a walkover undertaken by ERM on 19 June 2014 and information provided by Mr Nigel Fox, Sell and Parker's General Manager Property and Development.

The layout of each property is presented in *Figure 2, Annex A*. Images of each property collected during the walkover have been collated within the photographic log presented in *Annex B*.

**2.2.1*****45 Tattersall Road***

Number 45 Tattersall Road is owned and operated by Sell and Parker. Existing operations at the facility include shearing, fragmenting and shredding of industrial scrap metal, demolition material and car bodies. The facility has approval and is licenced to handle up to 90,000 tonnes per annum (tpa).

45 Tattersall Road has a frontage of approximately 100 metres (m) to Tattersall Road, a depth of approximately 260 m, with a rear boundary adjacent to Breakfast Creek to the south. It has an area of approximately 2.86 hectares (ha).

45 Tattersall Road is cleared and developed. The key components of this property include:

- administration buildings;
- maintenance facilities;
- a stormwater detention dam;
- employee and visitor car parking;
- raw material stockpiles;
- metal recycling equipment (including a pre-shredder, shredder and shear);
- a waste enclosure;
- a product stockpile;
- a flock stockpile; and
- a rubber tyre loader.

Entry to this property is via Tattersall Road. A 4 m high boundary wall surrounds the northern, eastern and western boundaries (refer *Photographs 1, 2 and 4, Annex B*). The front wall is set back approximately 8 m from the front property boundary and provides a visual screen to the processing facility, whereby a landscaped mound has been planted. The southern boundary extends to the centre line of the creek (N. Fox 2014, pers. comm., 19 June), however the operational boundary is delineated by a wire fence running adjacent to Breakfast Creek (refer *Photograph 3, Annex B*). Breakfast Creek is currently being reconstructed by Blacktown City Council (BCC), involving realignment and lining with rock;

The metal recovery operations are confined to the northern portion of 45 Tattersall Road, including stockpiled 'flock' material (recovered non-metallic material recovered) (refer *Photograph 5, Annex B*). There is a vehicle recovery area towards the western-centre of the property which involves puncturing and draining remaining fluids from scrap vehicles into Intermediate Bulk Containers (IBCs) (refer *Photograph 6, Annex B*) for disposal off-site. This area may pose a potential risk of spillages, although no obvious signs of significant spill were evident during the walkover.

The office at 45 Tattersall Road is in the centre of the property, with two weighbridges, one to the north, one to the south. The "Non-ferrous" processing building is located towards the southwest of the property. A Ferrous stockpile of scrap is located in the southern portion of the property that contained pooled surface water at the time of ERM's walkover (refer to *Photograph 7, Annex B*). A stormwater detention basin was located near the southern boundary and an oxygen /acetylene ("oxy")cutting area in the south eastern corner of the property. The layout of this property is presented in *Figure 2, Annex A*.

Number 45 Tattersall Road generally slopes from north to the south. Stormwater is contained in the stormwater detention basin towards the southern boundary, with no discharge permitted off-site. The stormwater detention basin is currently clay lined, with water pumped from centre to flush surface contaminants towards oil skimming system (N. Fox 2014, pers. comm., 19 June) (refer *Photographs 8, 9 and 10, Annex B*). Sell and Parker's General Manager Property & Development, Mr Nigel Fox, indicated that the detention basin will be improved in accordance with current Development Application to expand operations onto adjoining 23-43 Tattersall Road.

Visual inspection and discussions with Mr Fox, indicated that the majority of this property was covered with hardstand, even areas which appear as though they are not, such as the oxy-cutting area, are covered by buried concrete hardstand, to reduce spark risk (N. Fox 2014, pers. comm., 19 June). The only area that is not reportedly covered with hardstand is the area to the south which includes the stormwater detention dam.

The exposed hardstand areas were generally comprised of 5 x 4 m concrete pads with some cracks between them (refer *Photograph 11, Annex B*), but were generally in good condition. There were some minor stains visible, particularly around the vehicle processing area towards the western-centre of the property, but there was no visual evidence of major spillages noted during ERM's walkover.

Radiation monitors and alarms are present on-site to identify the presence of potentially radioactive materials arriving at the property. Visual inspections of materials entering the property undertaken by Sell and Parker personnel are also undertaken and waste tracking certificates are required to be presented upon delivery to identify potentially asbestos containing materials arriving at the property (N. Fox 2014, pers. comm., 19 June).

The walkover of this property revealed the following potentially contaminating materials stored on-site:

- small quantities of oils, spray paints and lubricants at entrance to non-ferrous building (refer *Photograph 12, Annex B*);
- three, 210 litre drums, containing heavy duty degreaser and seven unlabelled IBCs, all of which were at least half full, containing unknown contents, in the non-ferrous building (refer *Photograph 13, Annex B*);
- one IBC containing oil from machine maintenance operations and temporary storage of fuel and oil recovered from cars was stored in the liquid store, immediately outside to the north of non-ferrous building (refer *Photographs 14 and 15, Annex B*).

The majority of the above materials were either stored on bunding or within a building with bunding.

Mr Fox indicated that he was not aware of any underground storage tanks (USTs) currently in place on-site at 45 Tattersall Road (N. Fox 2014, pers. comm., 19 June). The historical Dangerous Goods records (refer *Section 3.5 and Annex E*) indicated that at least two former underground storage tanks (USTs) were previously located on-site at 45 Tattersall Road. However, the previous Stage 2 Environmental Site Investigation (ADI, 1995b) indicated three former USTs were removed and validated in 1995. Unless previously unknown USTs were present on-site, it is assumed that the removal of the three tanks in 1995, confirms the current understanding that no USTs remain on-site at 45 Tattersall Road.

Number 23-43 Tattersall Road is currently occupied by Dexion, a manufacturer of pallet racking, industrial and office storage equipment. It has a frontage to Tattersall Road of approximately 146 m and a variable depth ranging from approximately 200 m to 270 m. The property has an area of approximately 3.24 ha.

Entry to this property is via Tattersall Road. The office, car parking and landscaped areas are located along the northern boundary (refer *Photograph 16, Annex B*). A stormwater channel is located along the eastern boundary (refer *Photograph 17, Annex B*), while the southern operational boundary is delineated by a wire fence running adjacent to Breakfast Creek (refer *Photograph 18, Annex B*). The western boundary adjoins the 4 m high wall that separates this property from 45 Tattersall Road (refer *Photograph 19, Annex B*).

The walkover revealed that the majority of this property is covered with concrete hard stand. Some minor landscaped areas are present in the northern portion of the property and along the southern boundary (refer *Photographs 20 and 21, Annex B*). A waste compactor is present on a hardstand area in the south western corner of the property (refer *Photograph 22, Annex B*). A high voltage electrical substation is present along the eastern boundary of the property (refer *Photograph 23, Annex B*).

A bunded wash down area, used for washing down painting equipment, with underground sump was located in the south eastern portion of the property (refer *Photograph 24, Annex B*). Further information provided by Dexion has confirmed that the sump is concrete lined and contains wash down water comprising of water and phosphate based detergent, which is used to clean spray nozzles and risers associated with pre-treatment for painting. The sump holds approximately 16,000 L. Waste water is taken off-site by tanker and is disposed of by a licensed waste contractor. Dexion has confirmed that waste thinners, paint and oils are placed into separate 200 L drums and disposed of by a licensed waste contractor and are not disposed of in this sump.

The remainder of the property is largely comprised of a number of factory and warehouse buildings, comprising:

- the main manufacturing area (refer *Photograph 25, Annex B*), towards the northern portion of the property to the rear of the office;
- a covered breezeway, located to the rear of the manufacturing area, comprising the rolled aluminium processing area (refer *Photograph 26, Annex B*);
- a maintenance area (refer *Photograph 27, Annex B*) and press shop towards the north western corner of the property;

- warehouse 1 and 2, comprising general storage areas (refer *Photograph 28, Annex B*), located in the centre- south western portion of the property; and
- paint lines 1 and 2 located towards the eastern boundary of the property (refer *Photograph 29, Annex B*).

The above locations are depicted on *Figure 2, Annex A*.

The majority of factory and warehouse buildings appeared to be of modern build and did not appear to be asbestos containing, with the exception of the paint line 1 building towards the southeast, which had an asbestos warning label present which read as follows “*caution this building contains asbestos, no building works are to proceed without written authority*” (refer *Photograph 30, Annex B*). This building appeared older than the other warehouses.

During ERM’s walkover, the following dangerous goods were noted to be stored on-site:

- Depot 1 – located in the south eastern portion of the property, comprising 12 bays of racking which contained three IBCs and drums including: paints, cleaners, thinners and coatings (refer *Photograph 31, Annex B*). Flammable Liquid (Class 3), Corrosive Liquid (Class 8) and Toxic Liquid (Class 6) warning labels were present;
- Depot 2 – located in an open area between warehouses towards the western side of the property, to the rear of the maintenance building, comprising six, 15 kg liquefied petroleum gas (LPG) canisters and one, 45 kg LPG canister (refer *Photograph 32, Annex B*);
- Depot 3 – located in an open area between warehouses towards western side of the property, outside the rear of the press shop, comprising a 4,500 L liquid argon above ground storage tank (AST), 1,500 liquid carbon dioxide AST tank and a 1,500 L oxygen AST (refer *Photograph 33, Annex B*);
- Depot 4 – located in the north western external corner of the maintenance area, comprising six, 8.75 m<sup>3</sup> above ground storage tanks (ASTs) labelled ‘Argon shielding, non-toxic’ (refer *Photograph 34, Annex B*);
- Depot 5 – located along the northern wall of the maintenance area, comprising 250 L of flammable liquid (no further details) (refer *Photograph 35, Annex B*);
- Depot 6 – located near open area in the covered breezeway between warehouses, comprised two 210 litre drums, within unknown contents (refer *Photograph 36, Annex B*);
- Depot 8 – located within paintline building, comprising two ‘Dexion orange paint/coater’(refer *Photograph 37, Annex B*);

- Depot 9 – located within paintline building, comprised one IBC labelled phosphate (refer *Photograph 38, Annex B*); and
- Depot 10 – located within paintline building, comprised of six paint hoppers, approximately 1 x 1 x 0.5 metres with an estimated capacity of 500 litres (refer *Photograph 39, Annex B*).

Depot 7 – was not encountered during the walkover. However review of the Dangerous Goods Manifest supplied by Dexion indicates this depot comprises a flammable cabinet containing various products ranging from 160 litres to 650 litres.

The location of each dangerous goods depot is indicated on the Dexion Dangerous Goods Manifest, presented in *Annex E*.

A further eight 210 litre metal drums, of which six were labelled ‘mixed waste oil’ and two labelled ‘contaminated waste, dry, sorbent, Grease and oily rags’ were noted in an unbunded open ground area adjacent to kerb and guttering along the western boundary and not within a designated depot area. No obvious signs of leaks or spills (i.e. surface staining) were evident at the time of the walkover. Drums all appeared full and are expected to have been generated from the maintenance workshop area (refer *Photograph 40, Annex B*).

## 2.3 ADJACENT LAND USES

The existing waste metal recovery, processing and recycling facility is located at 45 Tattersall Road (Lot 5 DP 7086), Kings Park. Number 23-43 Tattersall Road (Lot 2 DP 550522) immediately adjoins 45 Tattersall Road to the east (refer *Figure 1 and 2, Annex A*). Access to both properties is gained from Tattersall Road, which is primarily serviced by Vardys Road to the north and Sunnyholt Road to the east.

*Figure 10* shows both properties in the context of the surrounding locality.

Current land uses surrounding both properties are presented in *Table 2.3*.

**Table 2.3 Current Land Uses Surrounding 45 and 23-43 Tattersall Road**

Direction	Land Use
North	Tattersall Road is located immediately adjacent to the north of both properties, with further industrial premises beyond. Residential properties are located approximately 650 m to the north.
South	Breakfast Creek is located immediately adjacent to the south of both properties, with recycling premises’ further south.
East	Immediately adjacent to the east of 45 Tattersall Road, is 23-43 Tattersall Road, with a formed stormwater drain and industrial development beyond 23-43 Tattersall Road. Sunnyholt Road is located approximately 260 m east of 23-43 Tattersall Road, with residential properties further to the east;

Direction	Land Use
West	45 Tattersall Road is immediately adjacent to the west of 23-43 Tattersall Road, with an auto parts industrial/recycling complex located immediately adjacent to the west of 45 Tattersall Road. Further industrial development is located further west, with the Richmond railway line approximately 900 m to the west of 45 Tattersall Road with residential properties west of the railway line.

## 2.4 PREVIOUS INVESTIGATIONS

### 2.4.1 45 Tattersall Road

#### *Response to EPA Regarding Site Stormwater Management and the Clean-up Notice (ERM 2013)*

ERM was commissioned by Sell and Parker to provide a response letter to the NSW EPA following an investigation into the current stormwater management of their metal recycling facility located at 45 Tattersall Road. A letter was issued to Sell and Parker by the EPA on Tuesday 12 November 2013 following a site inspection on 11 November 2013 during which a liquid discharge was observed leaving the property and entering the adjacent Breakfast Creek. The letter required a written report in accordance with condition R3 of the EPL be submitted to the EPA. The letter stated that, ‘...in particular, please provide all information and reports Sell and Parker has commissioned on the pond at the rear of the Premises’.

Following the EPA site inspection and the issuance of the draft clean-up Notice on Tuesday 12 November 2013, Sell and Parker implemented a number of responsive actions, including:

- installation of additional riser pipe to reduce the likelihood of surface water discharges leaving the property;
- installation of plugs on outlets to Breakfast Creek; and
- initial skimming of the floating hydrocarbon.

ERM undertook a site walkover on 19 November 2013. The walkover found that the stormwater pond was impacted by what appeared to be a film of hydrocarbon on the water’s surface. The film also exhibited a hydrocarbon-like odour. ERM found that the construction of the dam is such that there is presently 3 m of freeboard available to prevent overflow and subsequent discharge from the property as long as the riser height is maintained above the surface water level. ERM (2013) noted that the initial environmental control measures implemented by Sell and Parker addressed the immediate stormwater quality issues from the existing pond; however further detailed investigations and environmental protection measures will be required to prevent ongoing environmental incidents and longer term environmental

impacts. ERM (2013) recommended a range of short, medium and long term action to be implemented to achieve this.

*Metal Recycling Facility at 45 Tattersall Road Kings Park Environmental Impact Statement (ERM 1999)*

ERM was commissioned by Sell and Parker to prepare an Environmental Impact Statement (EIS) to accompany a Development Application to develop a metal recycling facility on the front (northern) portion of 45-55 Tattersall Road. The EIS included a review of previous contamination investigation undertaken by ADI Services as follows:

- ADI Services (1995a), *Environmental Site Investigation for 45-47 Tattersall Road, Blacktown, NSW*, 3 November 1995; and
- ADI Services (1995b), *Stage 2 Environmental Site Investigation, 45-47 Tattersall Road, Blacktown, NSW* 8 December 1995.

ERM did not have access to the above reports at the time of the preparation of this Phase I ESA and as such has relied on the information provided in the 1999 EIS (ERM, 1999).

The history described from the above ADI reports indicated that there were several areas with potential for contamination:

- heavy metal contamination from boiler making activities;
- imported fill used to level the rear of the property;
- pesticides from previous farming activities;
- two underground storage tanks;
- two underground septic tanks;
- contamination from painting activities near the timber mill; and
- oil spillage.

Consequently, ADI performed soil investigations in two stages. The first stage included the following

- soil sampling at 13 locations around the property to a maximum depth of 0.5 metres;
- compositing of soils into 6 composites;
- laboratory testing of the composite samples for metals (arsenic, cadmium, chromium, copper, mercury, nickel, lead and zinc), asbestos, organochlorine and organophosphate pesticides and polycyclic aromatic hydrocarbons;

The Stage 2 investigation followed due to initial investigation findings, such as concentrations of metal above ANZECC unrestricted use criteria and the presence of three underground storage tanks. This stage included the following:

- sampling at seven additional locations on the property to a maximum depth of 0.7 metres;
- laboratory testing of these samples for lead, copper and zinc;
- removal of three underground storage tanks; and
- sampling of the UST excavations and validation laboratory testing for total petroleum hydrocarbons (TPH) and benzene, toluene, ethyl-benzene and xylene (BTEX).

These investigations reportedly showed the following:

- concentrations of PAHs, OCPs, and OPPs in soils tested were below laboratory detection limits and the guideline criteria of the time;
- the validation results obtained during the removal of the underground tanks showed that all concentrations of TPH , BTEX and lead were either below detection limits or applicable guideline criteria at the time;
- there were some locations where concentrations of copper and zinc were above the ANZECC guidelines for unrestricted use. These were in surface soil samples only; and
- asbestos cement sheeting was detected in one sample in the north western corner of the property. This was recommended to be removed.

The Stage 1 investigation also recommended that the septic tanks be removed. The Stage 2 investigation report stated that all metal concentrations were below the Dutch Proposed Intervention Values, with the exception of one sample. The Dutch Proposed Intervention Values were guidelines used to assess suitability for industrial use at the time of the investigations.

The ADI investigations were performed prior to the introduction and acceptance of current soil guidelines. The guidelines that are currently used are the National Environment Protection Council (2013) *National Environmental Protection (Assessment of Site Contamination) Measure 1999* (ASC NEPM 2013). These guideline are health based, and depend on the expected use of the property.

The ASC NEPM (2013) Health Investigation Levels (HILs) for Commercial / Industrial Use are the guidelines applicable to this property. Review of the laboratory results for metals from the ADI Reports presented in the 1999 EIS (ERM, 1999) indicate that all soil samples have concentrations below these guidelines.

*Asbestos Condition Reinspection of 23 Tattersall Road Kings Park NSW 2148, Safe Environments Pty Ltd (2012)*

This report detailed the results of a re-inspection survey for asbestos containing materials (ACM) at the property, undertaken on the 23 March 2012. The original survey was undertaken by Safe Environments Pty Ltd on 24 February 2011, but was not made available for review at the time of the preparation of this report. Safe Environments conducted a re-inspection survey of the previously identified ACM only, aiming to assess the general condition of the previously identified materials and provide the client with a workable Risk Assessment. Safe Environments did not conduct a full re-survey of the property during the reinspection and have not audited the previous survey provided by Safe Environment s Pty Ltd.

Fourteen separate areas previously identified to contain ACM were reinspected and three additional areas were identified to potentially contain ACM upon reinspection of the property. Safe Environments ranked the majority of the previously identified ACM as either “low risk” requiring regular inspection or “minor risk” requiring annual inspection. Of the three additional areas potentially containing ACM, two were confirmed or presumed to contain asbestos and ranked as “minor risk” requiring annual inspection and the third confirmed as not containing asbestos upon laboratory analysis. No items of “medium risk” or “high risk” were identified.

### 3.1 HISTORIC CERTIFICATE OF TITLES REVIEW

Prior uses of each property have been identified by review of Historical Title Search results for both properties (Lot 5, DP7086 and Lot 2 DP550522). The title search was conducted by Advance Legal Searchers Pty Ltd. Details of the search have been summarised in *Table 3.1*, and 3.2 below and are included in *Annex C*.

**Table 3.1 Historical Title Search – Lot 5, DP7086 (45 Tattersall Road)**

Date	Proprietor
	<b>(Lot 5 DP 7086)</b>
1996 – to date	Sell & Parker (Holdings) Pty Limited
1988 – 1996	Ronald Thomas Burton, builder
	<b>(Lot 5 DP 7086 – CTVol 10439 Fol 218)</b>
1966 – 1988	Ronald Thomas Burton, builder
	<b>(Lot 5 DP 7086 – Area 7 Acres 0 Roods 13 ½ Perches – CTVol 2426 Fol 12)</b>
1962 – 1966	Ronald Thomas Burton, builder
1959 – 1962	William Palmerston Burton, retired
1943 – 1959	Samuel Hanna Erwin, poultry farmer
	Lucy Erwin
1929 – 1943	Robert Imlay, fitter
	Rose Imlay
1913 – 1929	Charles Richard Webb, boilermaker
	<b>(Part Portions 133 &amp; 134 Parish Prospect – Area 278 Acres ) Roods 34 ¼ Perches – CTVol 2127 Fol 216)</b>
1911 – 1913	Lucia Sarah Tattersall, wife of grazier

**Table 3.2 Historical Title Search – Lot 2, DP550522 (23-43 Tattersall Road)**

Date	Proprietor
	<b>(Lot 2 DP 550522)</b>
2007 – to date	Sell & Parker (Holdings) Pty Limited
(2004 – to date)	(lease to Dexion (Australia) Pty Limited, of 23 – 43 Tattersalls Road, Kings Park)
2004 – 2007	Perpetual Trustee Company Limited
1988 – 2004	Dexion (Australia) Pty Limited
	<b>(Lot 2 DP 550522 – CTVol 11667 Fol 174)</b>
1971 – 1988	Dexion (Australia) Pty Limited
	<b>(Lot 4 DP 7086 – Area 6 Acres 1 Rood 2 Perches – CTVol 2931 Fol 212)</b>
1969 – 1971	Dexion (Australia) Pty Limited
1967 – 1969	Carmina Pty Limited
1959 – 1967	Monsanto Chemicals (Australia) Limited
1957 – 1959	Beetle- Elliot Pty Limited
1929 – 1957	Albert George Shaw, trapper
1920 – 1929	Edward John Campbell, farmer
1920 – 1920	Benjamin Heath, poultry farmer
	Hannah Bettridge Heath
1919 – 1920	Robert Dean, ironmonger

Date	Proprietor
1911 – 1919	<b>(Part Portions 133 &amp; 134 Parish Prospect – Area 278 Acres ) Roods 34 ¼ Perches – CTVol 2127 Fol 216)</b>
	Lucia Sarah Tattersall, wife of grazier
<b>(Lot 3 DP 7086 &amp; Lot A DP 387453 – Area 9 Acres 2 Roods 32 ¾ Perches – CTVol 6860 Fol 4)</b>	
1969 – 1971	Dexion (Australia) Pty Limited
1967 – 1969	Carmina Pty Limited
1959 – 1967	Monsanto Chemicals (Australia) Limited
1957 – 1959	Beetle- Elliot Pty Limited
1956 – 1956	Materials Pty Limited
1954 – 1956	Arthur James Douglas, storeman
<b>(Lot 2 &amp; 3 DP 7086 – Area 10 Acres 1 Rood 22 ¾ Perches – CTVol 2615 Fol 45)</b>	
1945 – 1954	Arthur James Douglas, farm hand
1944 – 1945	Annie McMahon, widow
1920 – 1944	Joseph McMahon, farmer
1925 – 1920	John Thomas Jennings, farmer
1911 – 1919	<b>(Part Portions 133 &amp; 134 Parish Prospect – Area 278 Acres ) Roods 34 ¼ Perches – CTVol 2127 Fol 216)</b>
	Lucia Sarah Tattersall, wife of grazier

Information obtained from the Historical Titles Search indicates that Lot 5, DP7086 (45 Tattersall Road) was likely initially used as farm land until 1913. Following this, the titles suggest the property may have been used for metallurgy / boiler making activities until the early 1940's and then poultry farming until the late 1950's. From the late 1950's until 1996 the titles suggest the property may have been used as a base for building / construction enterprises. The property has been owned and operated by Sell and Parker for the purposes of metal recycling since 1996.

Information obtained from the Historical Titles Search indicates that Lot 2, DP550522 (23-43 Tattersall Road) was likely initially used as farm land until the early to mid 1950's. From this time the property was owned by a range of chemical manufacturing companies until 1969, when it was purchased by Dexion, a manufacturer of domestic and commercial shelving, storage racking and exhibition stands. The property was purchased by Sell and Parker in 2007, however Dexion has continued operations until present under a lease agreement with Sell and Parker.

### 3.2

#### *AERIAL PHOTOGRAPHY REVIEW*

A review of historic aerial photographs was undertaken to assess visual indications of potential changes in land use at each property. The earliest available aerial photograph for each property was sourced, with selected aerial photos reviewed with a minimum of one photo per decade selected. The review can be summarised as follows:

- **1951 Black and White (aerial photo reference: 472-06-143)** – the northern portion of 45 Tattersall Road appears to be developed with a number of structures (possibly agricultural and/or commercial sheds) and yards present. A vegetated tributary of Breakfast Creek flows through the centre of 45 Tattersall, with the southern portion largely cleared but undeveloped, containing predominately grass land with scattered trees. The majority of 23-43 Tattersall Road also appears cleared with a vegetated drainage line running from near the centre of this property on the western boundary through to the north eastern corner. A number of structures (possibly a dwelling house and sheds) are clustered around the drainage line on the western boundary of number 23-43 Tattersall Road.

Tattersall Road is present immediately to the north of both properties with open grazing land and a number of large (possibly agricultural and/or commercial sheds) to the north. Land immediately to the east of 23-43 Tattersall Road contains open grazing land and scattered vegetation. A number of smaller structures (possibly dwelling houses and small sheds) are also present. Sunnyholt Road is present further to the east with rural residential lots beyond. Breakfast Creek is present immediately to the south of both properties, with what appears to be grazing land, which is predominately cleared with some scattered vegetation, beyond. The tributary of Breakfast Creek that runs through both properties is present to the west of 45 Tattersall Road. Land to the west appears to be predominately cleared (except for riparian vegetation along Breakfast Creek and its tributary) with some scattered structures, most likely dwelling houses and small agricultural sheds. A railway line is present approximately 900 m to the west and a racecourse approximately 400 m to the south west.

For further details please refer to *Figure 3, Annex A*.

- **1961 Black and White (aerial photo reference: 1049 26 046)** – additional building structures are present on the northern portion of 45 Tattersall Road. The vegetated tributary of Breakfast Creek continues to flow through the centre of 45 Tattersall Road. The southern portion of 45 Tattersall Road contains a new building structure. Number 23-43 Tattersall Road also appears largely unchanged since the previous photo.

Tattersall Road is present immediately to the north of both properties with land beyond appearing relatively unchanged from the previous photo. Land immediately to the east of 23-43 Tattersall Road also appears relatively unchanged, however some further development has occurred adjacent to Sunnyholt Road. The rural residential area identified to the east of Sunnyholt Road in the previous photo has filled in with what appears to be large lot residential properties. Breakfast Creek remains present immediately to the south of both properties. A large commercial or industrial development is now present to the south, with scattered timber and grazing land beyond. The tributary of Breakfast Creek that runs through both properties remains present to the west of 45 Tattersall Road.

Land immediately to the west appears to have been developed further since the previous photo with a number of additional commercial/industrial sheds now present. A large industrial development is present approximately 700 m to the west. The railway line and racecourse identified in the previous photo remain present approximately 900 m and 400 m to the west and south west, respectively.

For further details please refer to *Figure 4, Annex A*.

- **1970 Black and White (aerial photo reference: NSW 1910 5028)** – both properties are now cleared of vegetation and the tributary of Breakfast Creek previously running through the centre of both properties is no longer clearly present. Number 45 Tattersall Road has additional commercial/industrial sheds built on it, particularly on the southern portion. Number 23-43 Tattersall Road is cleared but appears undeveloped (i.e. no built structures present).

Tattersall Road is present immediately to the north of both properties, with additional commercial/industrial development now present to the north of Tattersall Road. Land further to the north appears largely unchanged since the previous photo. Much of the remaining vegetation immediately to the east has been cleared and some additional commercial/industrial structures have been built adjacent to Sunnyholt Road. The residential subdivision further east, beyond Sunnyholt Road has filled in further, with many additional dwellings constructed. Breakfast Creek remains present immediately to the south of both properties with the large commercial or industrial development further to the south expanded in size. The land immediately to the west has developed further with further clearing and commercial/industrial structures built on it. Some further development has occurred around the edges of the large industrial development approximately 700 m to the west. The railway line remains present approximately 900 m to the west and south west, but the race course identified in previous photos, approximately 400 m to the south west has been replaced by what appears to be the footprint for further industrial development.

For further details please refer to *Figure 5; Annex A*.

- **1982 Colour (aerial photo reference: NSW 3242-173)** – both properties are now largely developed with what appear to be commercial / industrial sheds present on both lots. Commercial/industrial development now surrounds both properties to the north, east, south and west. The residential subdivision to the east of Sunnyholt Road is now fully established. Breakfast Creek remains to the immediate south of both properties. Some additional industrial development and infill residential development has occurred approximately 300 m and 700 m to the north, respectively.

For further details please refer to *Figure 6; Annex A*.

- **1991 Colour (aerial photo reference: NSW 4038 07 124)** – both properties appear relatively unchanged from the previous photograph. Further industrial development has occurred to the north and north west. Other surrounding land uses remain unchanged.
- For further details please refer to *Figure 7, Annex A*.
- **1998 Colour (aerial photo reference: NSW 4453 08 037)** – the previously built structures at 45 Tattersall Road appear to have been removed and the property now appears to be being used as the metal recycling yard. The office building appears to be present near the centre of the property. The stormwater detention dam is present at the rear of 45 Tattersall Road. An additional warehouse building has been added to 23-43 Tattersall Road. Further industrial development has occurred to the north and north west. The remaining surrounding land uses are largely unchanged from the previous photograph.

For details please refer to *Figure 8, Annex A*.

- **2004 Colour (Google Earth Pro Image 19-02-2004)** – 45 Tattersall Road appears to be set-up in a similar manner to its current day layout, with metal recycling equipment (including a pre-shredder, shredder and shear, office; ferrous stockpile and stormwater detention basin present). An additional warehouse building has been added to 23-43 Tattersall Road and appears to be set up in a similar manner to present day operations. Some further in-fill industrial development has occurred to the west. The remaining surrounding land used appear largely unchanged from the previous photo.

Due to Copyright restrictions, a copy of the 2004 Google Earth Image was not able to be provided in ERM's standard figure template.

- **2014 Colour (Bing Maps)** – both properties appear unchanged from the 2004 image. Some minor areas of further in-fill industrial development has occurred to the west. The remaining surrounding land used appear largely unchanged from the previous photo.

For further details please refer to *Figure 9, Annex A*.

### 3.3

#### **BLACKTOWN CITY COUNCIL – PLANNING CERTIFICATE**

The Blacktown City Council (BCC) Section 149 (2) and (5) Planning Certificates for both properties, 45 Tattersall Road (Lot 5 DP 7086) and 23-43 Tattersall Road (Lot 2 DP 550522), issued in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) (refer *Annex D*), includes the following information regarding the each property:

- both properties are currently zoned 4A – Industrial – General, pursuant to *Blacktown Local Environmental Plan 1988*.

- at its meeting on 12 March 2014, BCC adopted a zoning of IN1 – General Industrial following submissions received on the *Draft Blacktown Local Environmental Plan (BLEP) 2013*. The adopted zone will come into effect once the new BLEP 2013 has been approved by the Minister for Planning and Environment and published in the NSW Government Gazette. This is expected to occur in mid-2014;
- within the meaning of the *Contaminated Land Management Act 1997* and *Contaminated Land Management Amendment Act 2008*:
  - neither property is declared to be significantly contaminated land;
  - neither property is subject to a management order;
  - neither property is subject to an approved voluntary management proposal;
  - neither property is subject to an ongoing maintenance order; and
  - neither property is subject to a Site Audit Statement within the meaning of the *Contaminated Land Management Act 1997*.
- BCC has adopted a policy on contaminated land which may restrict the development of land on both properties. The S149 Certificate states that “*The land contamination policy applies when zoning or land use changes are proposed on land which has previously been used for certain purposes or has the potential to be affected by such purposes undertaken on nearby lands. As such consideration of BCC’s policy or the application of provisions under the relevant State legislation and guidelines is necessary*”;
- BCC has not adopted any policies to restrict the development of either property by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence or the occurrence of acid sulfate soils;
- BCC has adopted a Floodplain Management Policy which may restrict the development of land on both properties, including development for the purposes of dwelling houses, dual occupancies, multi-dwelling housing, residential flat buildings and any other purpose that requires the placement or erection of any structure on the land.
- the Flood Risk Precinct Maps prepared under the above Policy indicate both properties partly lie within the Medium Flood Risk Precinct and partly within the High Flood Risk Precinct. The term Medium Risk Precinct is defined as land below the 100-year flood level that is not within a High Flood Risk Precinct. Thus is land that is not subject to high hydraulic hazard or where there are no significant evacuation difficulties. The term High Flood Risk Precinct is defined as the area of land below the 100-year flood event that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties.

- neither property is affected by the operation of section 38 or 39 of the *Coastal Protection Act 1979*;
- neither property is proclaimed to be located in a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act 1961*;
- neither property is affected by any road widening or road realignment under the Division 2 of Part 3 of the *Roads Act 1993*, any environmental planning instrument;
- neither property includes or comprises a critical habitat within the meaning of the *Threatened Species Conservation Act 1995* or *Fisheries Management Act 1994*;
- neither property is within a conservation area;
- neither property has been granted biodiversity certification within the meaning of the *Threatened Species Conservation Act 1995*;
- BCC has not been notified of the existence of a biobanking agreement under the *Threatened Species Conservation Act 1995* for either property;
- BCC's Bush Fire Prone Land Map has identified both properties as being clear of any bush fire prone land;
- neither property is subject to a Property Vegetation Plan under the *Native Vegetation Act 2003*;
- neither property is subject of an order made under the *Trees (Disputes Between Neighbours) Act 2006*; and
- neither property is known to contain an item of environmental heritage under the protection of the Blacktown LEP 1988.

### 3.4 PREVIOUS DEVELOPMENT APPROVALS

BCC approved a metal recycling facility on the southern (rear) portion of 45 Tattersall Road in November 1996 (a copy of the consent is provided in *Annex E*). In 2001 the Land and Environment Court approved the establishment of a hammermill (also known as a fragmentiser or metal shredder) together with associated components with an approved handling capacity 60,000 tpa on the northern part of 45 Tattersall Road (a copy of the consent is provided in *Annex E*).

Condition 18 (Site Remediation) of the 1996 DA consent refers to *“approximately 30m<sup>3</sup> (100m<sup>2</sup>) of zinc impacted soil, located beneath / around the saw mill building”, identified in the ADI Stage 2 Report. The Condition also states that the “zinc impacted soil in to be removed completely from the site and the area validated by an approved consultant to Council’s satisfaction prior to commencement of the metal recycling facility.”*

ERM did not have access to the ADI Stage 2 Report at the time of the preparation of this Phase I ESA, so it is unclear as to the exact location of the zinc impacted soils. However, information presented in the 1999 EIS (ERM, 1999) stated that the Stage 2 investigation report stated that all metal concentrations were below the Dutch Proposed Intervention Values, with the exception of one sample (refer Section 2.4). The Dutch Proposed Intervention Values were guidelines used to assess suitability for industrial use at the time of the ADI investigations. When assessed against the current applicable guidelines (ASC NEPM (2013) Health Investigation Levels (HILs) for Commercial / Industrial Use) the laboratory results for metals from the ADI Stage 2 Report presented in the 1999 EIS (ERM, 1999) indicate that all soil samples have concentrations below these current guidelines.

Condition 54 (Soil Contamination) of the 2001 Land and Environment Court decision stated that *‘all contaminated soil and other contaminated material excavated from the Site as part of the development must be removed from the Site and disposed of by a licensed contractor at a facility licensed under the Waste Minimisation and Management Act 1995. A report is to be prepared by a suitably qualified consultant detailing the contamination remediation measures required as part of the proposed excavation/construction works. Council may require remediation works and or removal of the soil and or groundwater, depending on the report’s recommendations. Following this, an independent validation of the remediation works by an environmental consultant will be required and a report submitted to Council’.*

It is unclear what contaminated soil or material this statement is referring to. At the time of the preparation of this Phase I ESA ERM was not made aware of any previous reports recommending or validating the removal of contaminated soil or material in respect to the 2001 development.

### 3.5 WORKCOVER RECORDS

A search of the Stored Chemical Information Database (SCID) and microfiche records held by WorkCover indicated the following dangerous goods stored at each property:

**Table 3.3 Dangerous Goods Currently Stored at Each Property**

Depot	Depot Type	Product	Capacity	DG Class and Sub-class	PG (where applicable)
<b>45 Tattersall Road</b>					
1	Above ground tank	Oxygen, refrigerated liquid	2,100m <sup>3</sup>	2.2	
2	Exempt -Storage Area	LPG	45kg	2.1	
	Exempt -Storage Area	LPG	45kg	2.1	
<b>23-43 Tattersall Road</b>					
1	External roofed store	Paint / Phosphate	20,000L / 1,000L	3 / 8(6.1)	III / II
2	Cylinder store	LPG	1,600L	2.1	
3a	Above ground tank	Argon	4,500L	2.2	
3b	Above ground tank	Carbon Dioxide	1,500L	2.2	
3c	Cylinder in use	Oxygen	1,500L	2.2 (5.1)	
4a	Cylinder store	Acetylene / LPG	500L	2.1	
4b	Cylinder store	Oxygen	600L	2.2 (5.1)	
5	Flammable cabinet	Various	250L	3	III
6	Minor store	Diesel	400L	C1	
7	Flammable cabinet	Various	650L / 160L	3	III
8	Internal store	Paint	600L	3	III
9	Internal store	Phosphate	400L	8(6.1)	II
10	Internal store	Paint	600L	3	III
1. DG – Dangerous Goods 2. Packaging Group 3. LPG – Liquefied petroleum gas					

The above search results indicate that a number of dangerous goods are stored, all above ground, at each property. No dangerous goods are currently stored in underground tanks according to NSW WorkCover's records.

The historical records indicate that an application for the installation of a 2,000 gallon (approximately 10,000 litres) leaded petrol tank in the northern portion of 45 Tattersall Road was made in 1969. The historical records indicate that this tank was filled and sealed in January 1989.

The historical application also shows the location of an existing tank (unknown size and contents) within the vicinity of where the new tank was to be installed. The plans supplied with the historical application indicate this existing tank was to be removed, but no details are supplied to confirm this in the WorkCover records. However, the previous Stage 2 Environmental Site Investigation (ADI, 1995b) indicated three former USTs were removed and validated in 1995. It is therefore assumed that the removal of the three tanks in 1995, confirms the current understanding that no USTs remain on-site at 45 Tattersall Road.

A copy of the record obtained from WorkCover is included in *Annex F*.

A search of the New South Wales Environmental Protection Authority (EPA) various registers was undertaken:

- a search of the NSW EPA Contaminated Land Record and list of contaminated sites notified to the EPA indicated that neither property is listed on either the register or the list.
- the property immediately adjacent to the east of 23-43 Tattersall Road (currently occupied by Bostik Australia Pty Ltd), has an Ongoing Maintenance Order issued under Section 28 of the *Contaminated Land Management Act 1997* (CLM Act) in relation to the management of residual chlorinated solvent groundwater contamination. This property is located immediately down / cross (assumed) hydraulic gradient from 45 and 23-43 Tattersall Road;
- another property within the BCC Local Government Area (LGA), located at 27 Powers Road, Seven Hills, has been declared a remediation site under Section 21 of the CLM Act in relation to contaminated groundwater. This property is located down (assumed) hydraulic gradient from 45 and 23-43 Tattersall Road, approximately 4.6 km to the south east;
- no other properties were identified in the Blacktown City Council LGA that have been issued with a remediation order or designated as significantly contaminated under the CLM Act and not managed through a licence or notice under the *Protection of the Environment Operations (POEO) Act 1997*; and
- a search of the NSW EPA license registry showed that both properties are subject to an Environment Protection Licence (EPL), as follows:
  - EPL 11555 applies to 45 Tattersall Road for the undertaking of the scheduled activity of scrap metal processing (0-100,000 tonnes processed). Currently no surface water or groundwater monitoring locations or discharge points are applicable to the property under EPL 11555. Condition O7.1 of the EPL states that a Stormwater Management Scheme must be prepared for the development and must be implemented. Implementation of the Scheme must mitigate the impacts of stormwater runoff from and within the premises following the completion of construction activities. The Scheme should be consistent with the Stormwater Management Plan for the catchment. If a Stormwater Management Plan has not yet been prepared the Scheme should be consistent with the guidance contained in *Managing Urban Stormwater: Council Handbook* (available from the EPA); and

- EPL 974 applies to 23-43 Tattersall Road for the undertaking of Metal coating (0-100000 T coated) and Metal waste generation (>100 T generated or stored). Currently no surface water or groundwater monitoring locations or discharge points are applicable to the property under EPL 974.

Copies of search results are provided in *Annex G*.

### 3.7 GROUNDWATER BORE SEARCHES

A search of NSW Office of Water (NOW) registered groundwater bore licences identified 11 licensed bores within approximately 1 km radius from the adjoining boundary between 45 and 23-43 Tattersall Road (refer *Table 3.4* below). The detailed groundwater bore logs and bore location plan are provided in *Annex H*.

**Table 3.4** *Licensed Bores within One Kilometre Radius of 45 and 23-43 Tattersall Road*

Bore Reference	Distance / Direction from 45 Tattersall Road	Location	Authorised Purposes	Final Drilled Depth (m)	Standing Water Level (m)	Water Bearing Zones (m)	Aquifer Geology
GW112589	Approx. 500m to the NW	N 6263978 E 306101	Monitoring Bore	10.86	7.0	-	-
GW112588	Approx. 500m to the NW	N 6263990 E 306122	Monitoring Bore	12.44	7.0	-	-
GW112587	Approx. 500m to the NW	N 6263979 E 306140	Monitoring Bore	99	7.0	-	-
GW104235	Approx. 160m to the E <sup>1</sup>	N 6263690 E 306709	Monitoring Bore	6.2	2.6	2.6-6.2	Grey silty clay
GW112580	Approx. 165m to the E <sup>1</sup>	N 6263690 E 306716	Monitoring Bore	5.85	3.0	4.0-4.5	Clay
GW112581	Approx. 170m to the E <sup>1</sup>	N 6263645 E 306712	Monitoring Bore	5.3	2.3	2.0-2.5	Loose moist clay
GW112578	Approx. 275m to the E	N 6263678 E 306818	Monitoring Bore	5.8	2.5	1.5-2.5	Moist, light brown clay
GW112579	Approx. 180m to the E <sup>1</sup>	N 6263553 E 306704	Monitoring Bore	5.6	2.5	4.5-4.8	Grey/brown clay
GW104236	Approx. 170m to the E <sup>1</sup>	N 6263495 E 306688	Monitoring Bore	6.5	3.2	3.2-6.5	Medium to brown clay
GW104237	Approx. 210m to the E	N 6263493 E306726	Monitoring Bore	7.1	3.2	3.2-6.5	Grey silty clay
GW102688	Approx. 370m to the E	N 6263415 E306884	Monitoring Bore	5.55	2.5	2-5	Clay, Silty/Sandy

1. These groundwater wells are directly adjacent to the 23-43 Tattersall Road (Lot 2 DP 550522)

Sell and Parker provided an annotated survey plan entitled “Annexure A – Plan Showing Restriction on the use of Land with Lot 5 in DP 7086 at Blacktown Parish of Prospect, County of Cumberland” (refer *Annex 1*). The plans shows three surveyed cells, in the northern portion of 45 Tattersall Road, shaded yellow and marked “A” for the restriction on the use of land at this property. Anecdotal information provided by Sell and Parker’s General Manager Property & Development, Mr Nigel Fox, indicated that these areas had been capped with a clay based fill and are now covered by concrete hardstand. Details of potential contamination or its source is not known. It is possible that these contaminated cells are related to the former USTs or possibly zinc impacted soils beneath or around a former saw mill building at this property, however, this has not been verified due to limited information available at the time of the preparation of this report. The existence of the contaminated cells has not been supported by other information sources, such as s149 Certificates or NSW EPA background register searches.

ERM understands that these cells are not located in an area that is proposed to be disturbed by redevelopment works and as such, they are not considered to pose a significant constraint to the proposed development. The Conceptual Site Model (CSM) (refer *Chapter 5*) shows that there is not a complete source-pathway-receptor (SPR) linkage in relation to these cells so long as they remain in an undisturbed state.

Although the historical information indicates some discrepancy in the number and location of former USTs at 45 Tattersall Road, the previous investigations undertaken by ADI Services in 1995 confirmed the presence of three former USTs, which were removed and validated in 1995. Information on the surveyed cells showing the restriction on the use of land within these areas at 45 Tattersall Road is also somewhat limited. It is possible that these contaminated cells are related to the former USTs at this property as it appears to be in the general vicinity, however, this has not been verified, as the locations of the cells do not appear on any other records.

The remaining data obtained has, in general, been found to be in agreement. It is therefore considered that the information provided in this historical assessment has an acceptable level of accuracy for the purposes of this preliminary assessment.

**4.1****TOPOGRAPHY**

45 Tattersall Road is relatively flat and drains to the south. The lot has been excavated into the landscape to allow for it to be sunk behind a noise wall in comparison to the elevation at street level. The elevation of this property ranges from 41.7 m Australian Height Datum (AHD) to 40.2 m AHD (not including the depth of the stormwater detention basin) while the street level of Tattersalls Road is approximately 45 m AHD. A concrete sound mound is constructed at street level to approximately 45-47 m AHD in height.

23-43 Tattersall Road is also relatively flat and drains to the southwest of the property. The highest elevation is approximately 42 m AHD in the northern carpark area to the lowest point of around 40 m AHD in the south western portion of the property (also a carpark). Tattersalls Road sits slightly higher than the property.

A vegetated mound orientated in a north-south direction, separates the two properties.

**4.2****REGIONAL GEOLOGY AND SOIL LANDSCAPE**

According to the 1:100,000 Geological Series Sheet 9030 (edition 1) dated 1991 for Penrith, the lithology of both properties comprises shale, carbonaceous claystone, claystone, laminite, fine to medium-grained lithic sandstone, rare coal and tuff (Clark and Jones, 1991). The formation is Bringelly Shale of the Wianamatta Group (undifferentiated), from the Middle Triassic period (Clark and Jones, 1991).

Review of the *Soil Landscapes of the Penrith 1:100,000 Sheet Map* 1:100,000 indicates both properties are located on the Blacktown soil landscape group, which usually occurs on gently undulating rises over Wianamatta Group shales. The ground slopes are usually less than 5%. The soils range from shallow to moderately deep (less than 1 m thick) and are hard setting, mottled textured clay soils. The soils are typically poorly drained with low fertility, localised high plasticity and expansive subsoils.

Assessment of the Australian Soil Resource Information System (CSIRO, 2006) mapping layer identified that both properties have no known occurrence of Acid Sulfate Soil (ASS).

#### 4.3

#### REGIONAL AND LOCAL SURFACE WATER

Runoff from the both properties flows to Breakfast Creek to the south. Breakfast Creek is reported to be a heavily disturbed ephemeral stream that flows through the industrial estate. The creek is currently being reconstructed by Blacktown City Council, involving realignment and lining with rock.

Stormwater runoff generated at 45 Tattersall Road currently reaches a stormwater basin in the southern portion of the property via overland flow and a network of inlets and underground pipes. This basin has a riser that acts a discharge point that is not licensed. The outlet for the riser is currently closed with a shut-off valve, with all captured stormwater to remain on-site.

At 23-43 Tattersall Road the predominant source of runoff is generated from the roof space occupying the majority of the property. This runoff is assumed to flow to the adjacent rock and earth lined stormwater drain to the east that links down gradient to Breakfast Creek. The carpark in the northern portion of the property drains to a series of inlet pits that discharge to the adjacent drainage line to the east. The carpark in the southern portion of the property is presumed to drain to Breakfast Creek in the south.

Breakfast Creek is a tributary to Eastern Creek which then merges with South Creek, flowing to the Windsor Reach of the Hawkesbury River. The Hawkesbury River flows to the South Pacific Ocean.

#### 4.4

#### REGIONAL AND LOCAL HYDROGEOLOGY

A search of NSW Office of Water (NOW) registered groundwater bore licences identified 11 licensed bore within approximately 1 km of the property (refer *Table 3.4*). The detailed groundwater bore logs and bore location plan are provided in *Annex H*.

The logs for boreholes drilled to the east of 23-43 Tattersall Road reported a shallow water bearing zone of silty clay between 1.5 and 6.5 m below ground level (BGL). *Table 3.4* identifies the boreholes that are adjacent to the drainage line that travels parallel to the eastern boundary of 23-43 Tattersall Road and eventually drains to Breakfast Creek. The boreholes to the northwest of the property did not report any water bearing zones or aquifer geology, though the standing water level for these wells was uniform at seven metres. It is noted that the shales of the Wianamatta Group are characterised by saline groundwater due to marine deposition, are often low yielding and as such are not considered beneficial aquifers (Sydney Catchment Authority, 2012)

Observations of both properties during the sight walkover did not indicate the presence of groundwater wells at either property.

Long term climate data is available from the Bureau of Meteorology network of automatic weather stations (AWS) located throughout the state. The weather stations utilised for the information within this report are listed in *Table 4.1*.

**Table 4.1** *Bureau of Meteorology Automatic Weather Stations referenced in this Report*

Details	Purpose	
	Temperature data	Rainfall data
<b>Name</b>	Seven Hills (Collins St)	Quakers Hill Treatment Works
<b>Number</b>	67026	67076
<b>Year opened</b>	1950	1948
<b>Status</b>	Remains open	Remains open
<b>Co-ordinates</b>	Latitude: 33.77° S	Latitude: 33.74° S
	Longitude: 150.93° E	Longitude: 150.88° E
<b>Elevation</b>	50 m	25 m

#### 4.5.1 *Temperature*

Temperature data from the Seven Hills (Collins Street) AWS reveals that for the period of collected data, on average:

- December is the warmest month of the year, with a mean temperature of 28.4 Degrees Celsius (°C); and
- the coolest months are June and July, with a mean temperature of 17.4°C (See *Table 4.2*).

**Table 4.2** *Monthly Temperature Data for Blacktown, NSW*

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
<b>Average Temperature</b>	28.3	27.7	27.0	24.1	20.0	17.4	17.4	18.6	21.4	23.8	26.3	28.4	23.4
1. Data sourced from Seven Hills (Collins Street) AWS (67026).													

#### 4.5.2 *Rainfall*

Rainfall data from the Quakers Hill Treatment Works AWS reveals that for the period of collected data, on average:

- mean annual rainfall for the area surrounding the properties is 921.5 millimetres (mm);
- September is typically the driest month with an average of 38 mm; and
- February is typically the wettest month with an average of 113.3 mm (See *Table 4.3*).

**Table 4.3**      *Monthly Precipitation Data for Blacktown, NSW*

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
<b>Average Rainfall</b>	104.0	113.3	94.2	66.5	71.2	80.3	42.1	52.9	38.0	65.7	85.6	70.1	921.5
1. Data sourced from Quakers Hill Treatment Works AWS (67076)													

## 4.6      *WATER AND WASTEWATER*

### 4.6.1      *Water Supply*

Both properties are connected to potable town water supply via connections from Tattersall Road.

Water collected in the stormwater detention basin at the rear of 45 Tattersall Road is currently also being used for operations at this property. This is proposed to continue as part of the expanded operations with water proposed to be used on hammermill and other operations. Sell and Parker have indicated that this water will be suitably screened and filtered to ensure water collected in the basin is suitable for use in operations and will have no impact to infrastructure, the surrounding environment or the health and safety of employees

### 4.6.2      *Stormwater*

Stormwater runoff generated at 45 Tattersall Road currently reaches a stormwater basin in the southern portion of the property via overland flow and a network of inlets and underground pipes.

At 23-43 Tattersall Road the predominant source of runoff is generated from the roof space occupying the majority of the property. This runoff is assumed to flow to the adjacent rock and earth lined stormwater drain to the east that links down gradient to Breakfast Creek. The carpark in the northern portion of the property drains to a series of inlet pits that discharge to the adjacent drainage line to the east. The carpark in the southern portion of the property is presumed to drain to Breakfast Creek in the south.

### 4.6.3      *Wastewater*

Both properties are serviced by a sewerage network. Current plans from Sydney Water indicate that a 525 mm vitrified clay sewer main runs along the northern portion of 23-43 Tattersall Road. This main then run along the western boundary of 23-43 Tattersall Road and connects with a 525 mm concrete sewer main at the rear of this property. This in turns connects to a 600 mm vitrified clay sewer and 750 mm concrete sewer main at the rear of 45 Tattersall Road.

Operations at 45 Tattersall Road produce waste materials such as mixed plastics, particulates, glass and foam from car upholstery and building materials (flock material). Most waste emerges from the end of the non-ferrous and ferrous metals sorting conveyor. Additional solid waste is generated from the air quality controls which drop out particulates. Cleaned air then passes through a wet scrubber to remove fine dust. The resulting dust / water mixture is sprayed onto the main waste stream at the end of the non-ferrous metals sorting conveyor, and thus joins other waste in the stockpile / bunker for disposal.

Oils and lubricants generated following the maintenance of company vehicles and mobile equipment and machinery are stored in a bunded area in the workshop. Waste oil and lubricants are collected in 205L drums in bunded area ready for disposal. There are also minor quantities of office waste generated and disposed of in designated general waste bins that are collected regularly for disposal.

Operations at 23-43 Tattersall Road produces waste materials such as waste oils, fuels and paints. These liquid wastes are collected on-site with in waste drums and IBC's within bunded areas and disposed of appropriately through a liquid waste contractor. Other solid wastes, such as material packaging and offcuts are disposed of through general solid waste provisions. There are also minor quantities of office waste generated and disposed of in designated general waste bins that are collected regularly for disposal at an appropriately licenced landfill through BCC's waste collection service.

## 4.8

### UNDERGROUND SERVICES

A 'dial before you dig' search was lodged on 13 June 2014 (Job No. 7524070). The following underground assets were identified by this search.

### 4.8.1

#### *Electricity*

Plans received from Endeavour Energy indicate there are underground electricity lines entering 23-43 Tattersall Road at two locations from Tattersall Road. One of these runs down the eastern boundary to a substation identified during the walkover outside the Paintline 1 building. A second underground cable runs from Tattersall Road to a substation, which appears to be near the entrance to the maintenance and press shop, but was not sighted during the walkover. Plans for 45 Tattersall Road, indicate three points along the northern boundary with Tattersall Road where underground cables are present. The Endeavour Energy plans also indicate that ACM may be present in some of these underground assets.

#### 4.8.2 *Gas*

Plans received from Jemena Gas West indicate that a secondary gas main runs along the northern side of Tattersall Road to the north of each property. The plans indicate a possible connection to each property from this secondary main at the eastern boundary of 23-43 Tattersall Road and western boundary of 45 Tattersall Road.

#### 4.8.3 *Telecommunications*

Plans received from Optus indicate an Optus fibre running in an 'other' utility conduit along the southern side of Tattersall Road adjacent to most of the northern boundary of 23-43 Tattersall Road. The plans then indicate that fibre crosses the road and joins an Optus underground cable along the northern side of Tattersall Road.

A response was received from PIPE Networks, which indicated that PIPE Networks owned or operated telecommunications network infrastructure within vicinity of both properties. PIPE Networks indicated that the affected network infrastructure is contained within the Telstra duct network and can be found listed on the appropriate Telstra duct Network plans. At the time of preparation of this report, no plans had been received from Telstra.

#### 4.8.4 *Water/Sewer*

Current plans from Sydney Water indicate that a 525 mm sewer main runs along the northern portion of 23-43 Tattersall Road and then along the western boundary of 23-43 Tattersall Road and connects with a 525 mm sewer main that runs to the rear of both 23-43 and 45 Tattersall Road (refer *Section 4.6.3*).

Underground services plans are provided in *Annex J*.

Fundamental to the risk assessment process is the development of a Conceptual Site Model (CSM), which is the qualitative description of plausible mechanisms by which receptors may be exposed to contamination. For exposure to the identified receptors to be considered possible, a mechanism ('pathway') must exist by which contamination from a given source can reach a given receptor. A complete 'source-pathway-receptor' exposure mechanism is referred to as a 'SPR linkage'.

The potential SPR linkages are evaluated for completeness based on the existence of the following:

- a source of chemical contamination;
- a mechanism for release of contaminants from identified sources (e.g. volatilisation into air or dissolution into groundwater);
- a contaminant retention or transport medium (e.g. soil, air, groundwater etc.);
- potential receptors of contamination (e.g. groundwater, surface water, people); and
- a mechanism for chemical intake by the receptors at the point of exposure (ingestion, dermal contact, inhalation or a combination thereof).

Whenever one or more of these elements are missing, the SPR linkage is incomplete and the potential risk to the identified receptor is considered unlikely.

A CSM, showing the potential SPR linkages for both properties is presented in *Annex K*. The key findings of the CSM are summarised in the following sections.

## 5.1

### SOURCE AREAS

Identified potential source areas (inclusive of operational sources as at time of ERM's Site walkover) were as follows:

#### *45 Tattersall Road:*

- potentially impacted soils from former operations at this property relating to boiler-making and construction (heavy metals, & ACM);
- potentially impacted soils from former operations at this property relating to construction and farmland use (OCPs, OPPs);

- potential “contaminated cells” (anecdotal evidence provided by Sell and Parker, possibly from former USTs or zinc impacted soil beneath or around former saw mill building);
- operational metal recycling equipment (pre-shredder, shredder, shear) and raw material stockpiles;
- operational maintenance workshop including oils, paints, degreasers (BTEX, TRH, PAHs, lead and other metals);
- IBCs & liquid waste from vehicles;
- operational stormwater retention dam (clay-lined) with oil-skimming system; and
- operational ASTs.

#### *23-43 Tattersall Road*

- potentially impacted soils from previous land-use such as farmland (OCPs & OPPs), TRH from former tanks;
- operational dangerous Goods Storage: Paints, cleaners, fuel and other flammable liquids (associated with DG Depots 1 and 5-10);
- operational dangerous Goods Storage: ASTs associated with DG Depots 2, 3 and 4;
- operational paint/washing concrete sump near Dangerous Good building;
- existing buildings with ACM; and
- operational paint stack and emissions from ventilation systems.

#### *Off-site Sources*

The main off-site sources identified were neighbouring properties (Bostik site to the east and scrap car yard to the west) and more distant sites associated with groundwater monitoring bores approximately 160-370 m to the east (hydraulically up-gradient) of both properties

## 5.2

### *PATHWAYS*

Identified potential pathways at both properties include:

- direct contact;
- surface water via surface run-off into Breakfast Creek;
- groundwater constituents of concern mobilised through groundwater and within underground utility trenches;

- fugitive emissions to air;
- inhalation of asbestos fibres (predominately at 23-43 Tattersall Road); and
- deliberate emissions through stack and vent systems.

### 5.3

#### *RECEPTORS*

Identified potential receptors at both properties include:

- existing on-site workers;
- future site workers such as demolition / building contractors;
- intrusive maintenance workers (current and future);
- groundwater beneficial use: extraction bores off-site;
- off-site commercial workers and residences
- ecological receptors associated with Breakfast Creek; and
- future site workers, neighbours and off-site residents.

### 5.4

#### *SPR LINKAGES*

The CSM assessed the 'source-pathway-receptor' (SPR) linkages as either 'unlikely', 'potential' or 'complete'. Of 29 possible SPR linkages identified in the CSM, 17 were found to be unlikely due to incomplete linkages between source area and receptor. A further 11 were assessed as a potential SPR linkage, however, appropriate controls (such as Environment Protection Licence requirements or other management measure) were deemed to lessen the likelihood of a complete SPR linkage to an insignificant level.

Only one SPR linkage was initially identified as having the potential to form a complete SPR linkage. This was in regards to the wash down sump located towards the rear of 23-43 Tattersall Road, which poses the possibility of locally impacted soils and groundwater which may be disturbed and/or come in contact with future demolition / construction workers during future expansion works. Further information provided by Sell and Parker has confirmed that the sump is concrete lined and contains wash down water and a phosphate based detergent, which is used to clean spray nozzles and risers associated with pre-treatment for painting. Given the limited potential contaminants of concern, their low toxicity and the fact that the sump is concrete lined and in sound condition, it is considered unlikely that signification contamination associated with this sump has occurred. Appropriate management controls during redevelopment works, will be sufficient to reduce the likelihood of a potentially complete SPR linkage being established to an acceptable level.

## CONCLUSIONS AND RECOMMENDATIONS

ERM completed a Phase I ESA of two adjoining properties owned by Sell and Parker at 45 and 23-43 Tattersall Road, Kings Park, NSW. The overarching objective for Sell and Parker was to assess the suitability of each property for ongoing industrial land use. The findings of this Phase I ESA will form part of a broader Environmental Impact Statement (EIS) being prepared for the expansion of the existing waste metal recovery, processing and recycling facility, currently located at 45 Tattersall Road.

Based on data obtained during the Phase 1 ESA, ERM concludes the following:

- the properties are formally known as Lot 5 DP 7086 (45 Tattersall Road); and Lot 2 DP 550522 (23-43 Tattersall Road);
- the properties have a combined total area of approximately 6.1ha, with 45 Tattersall Road being approximately 2.86ha in area and 23-43 Tattersall Road being 3.24ha in area;
- both properties are owned by Sell and Parker, however they are currently operated as separated businesses. Sell and Parker currently own and operate a waste metal recovery, processing and recycling facility at 45 Tattersall Road, while 23-43 Tattersall Road is currently occupied by Dexion, a manufacturer of pallet racking, industrial and office storage equipment;
- historical titles and aerial photographs indicate both properties were originally farm land and were progressively developed into commercial and industrial properties from the 1950's onwards;
- both properties are zoned "4A - Industrial - General", pursuant to *Blacktown Local Environmental Plan 1988* and "IN1 - General Industrial" under the *Draft Blacktown Local Environmental Plan 2013*;
- a search of WorkCover's Dangerous Goods records indicate that a number of dangerous goods are currently stored, all above ground, at each property. No dangerous goods are currently stored in underground tanks;
- the historical Dangerous Goods records indicate that at least two former underground storage tanks (USTs) were previously located on-site at 45 Tattersall Road, however, redevelopment works are not likely to disturb these areas;
- previous environmental investigations indicate that three historic USTs were removed in 1995, with validation results obtained during the removal showing that all concentrations of TPH, BTEX and lead were either below detection limits or applicable guideline criteria at the time. Review of the laboratory results for metals from the ADI Reports presented in the 1999

EIS (ERM, 1999) indicate that all soil samples reported concentrations below the current ASC NEPM 2013 Health Investigation Levels (HILs) for Commercial / Industrial Use;

- both properties operate in accordance with an Environment Protection Licence (EPL);
- an annotated survey plan provided by Sell and Parker shows three surveyed cells, in the northern portion of 45 Tattersall Road, shaded yellow and marked "A" for the restriction on the use of land at this property. Anecdotal information provided by Sell and Parker's Property General Manager, Mr Nigel Fox, indicated that these areas had been capped with a clay based fill and are now covered by concrete hardstand;
- ERM understands that these cells are not located in an area that is proposed to be disturbed by redevelopment works and as such, they are not considered to pose a significant constraint to the proposed development. The Conceptual Site Model (CSM) (refer *Chapter 5*) shows that there is not a complete source-pathway-receptor (SPR) linkage in relation to these cells so long as they remain in an undisturbed state;
- 45 Tattersall Road is relatively flat and drains to the south. The lot has been excavated into the landscape to allow for it to be sunk behind a noise wall in comparison to the elevation at street level. 23-43 Tattersall Road is also relatively flat and drains to the southwest of the property;
- review of the regional geology indicates the lithology of both properties comprises shale, carbonaceous claystone, claystone, laminite, fine to medium-grained lithic sandstone, rare coal and tuff;
- review of the soil landscapes indicates both properties are located on the Blacktown soil landscape group, comprising Wianamatta Group shales;
- runoff from the both properties generally flows to Breakfast Creek to the south;
- a search of NSW Office of Water (NOW) registered groundwater bore licences identified 11 licensed bore within approximately 1km of both properties, all of which are registered as monitoring bores;
- the groundwater bore records indicate a shallow water bearing zone in silty clay between 1.5 and 6.5m below ground level (BGL) in the immediate vicinity of both properties;
- a Conceptual Site Model (CSM) was developed for both properties, which identified a number of potential contamination source areas, pathways and sensitive receptors;

- the CSM assessed the 'source-pathway-receptor' (SPR) linkages as either 'unlikely', 'potential' or 'complete'. Of 29 possible SPR linkages identified in the CSM, 17 were found to be unlikely due to incomplete linkages between source area and receptor. A further 11 were assessed as a potential SPR linkage, however, given the appropriate controls (such as Environment Protection Licence requirements or other management measures) in place, these were deemed to have an insignificant likelihood of a potentially complete SPR linkage; and
- only one SPR linkage was initially identified as having the potential to form a complete SPR linkage. This was in regards to the wash down sump located towards the rear of 23-43 Tattersall Road, which poses the possibility of locally impacted soils and groundwater which may be disturbed and/or come in contact with future demolition / construction workers during future expansion works. Given the limited potential contaminants of concern and the fact that the sump is concrete lined and in sound condition, it is considered unlikely that significant contamination has occurred. Appropriate management controls during redevelopment works, will therefore be sufficient to reduce the likelihood of a potentially complete SPR linkage being established to an acceptable level.

Although some potential for residual contamination remains, based on the results of this Phase I ESA and in particular the absence of potentially complete SPR linkages as presented in the CSM, along with the planned continued industrial land use at both properties, it is considered that further investigation is not required at this stage in order to facilitate the proposed redevelopment. As with any former industrial Site, a contingency for the appropriate management of potential unexpected contamination finds should be incorporated in the Construction Environmental Management Plan (CEMP) for the planned redevelopment of both properties.

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Annex A


## Figures

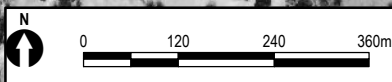




Source: Land and Property Information Division  
NSW Department of Finance & Services (2014)



**Legend**  
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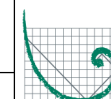
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**Figure 3 - 1951 Aerial Photograph of Site and Surrounding Landscape**

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45 and 23-43 Tattersall Road, Kings Park

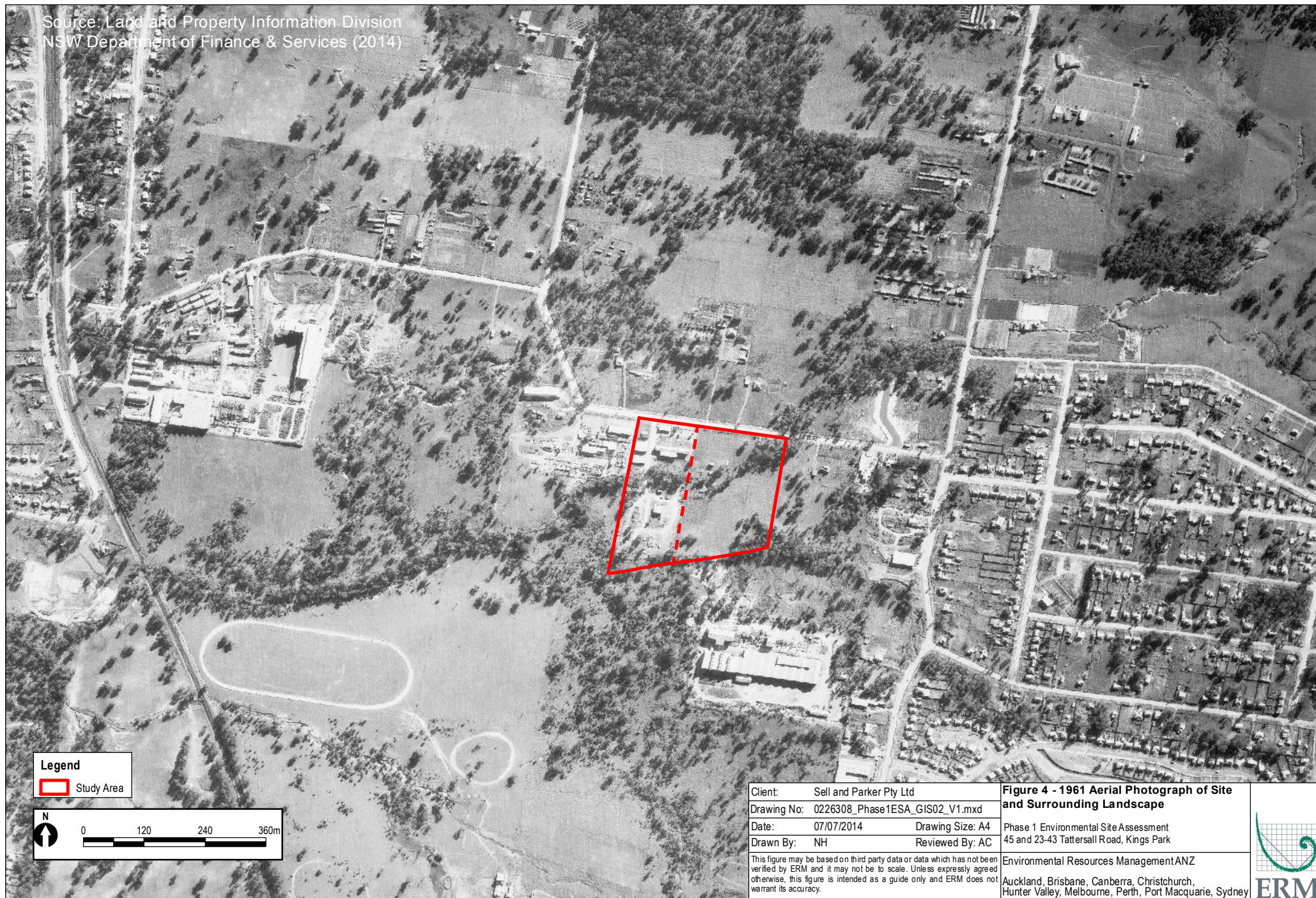
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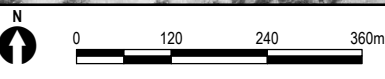
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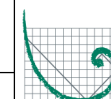
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#### Figure 4 - 1961 Aerial Photograph of Site and Surrounding Landscape

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45 and 23-43 Tattersall Road, Kings Park

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**Legend**

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0 120 240 360m

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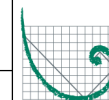
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**Figure 5 - 1970 Aerial Photograph of Site and Surrounding Landscape**

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45 and 23-43 Tattersall Road, Kings Park

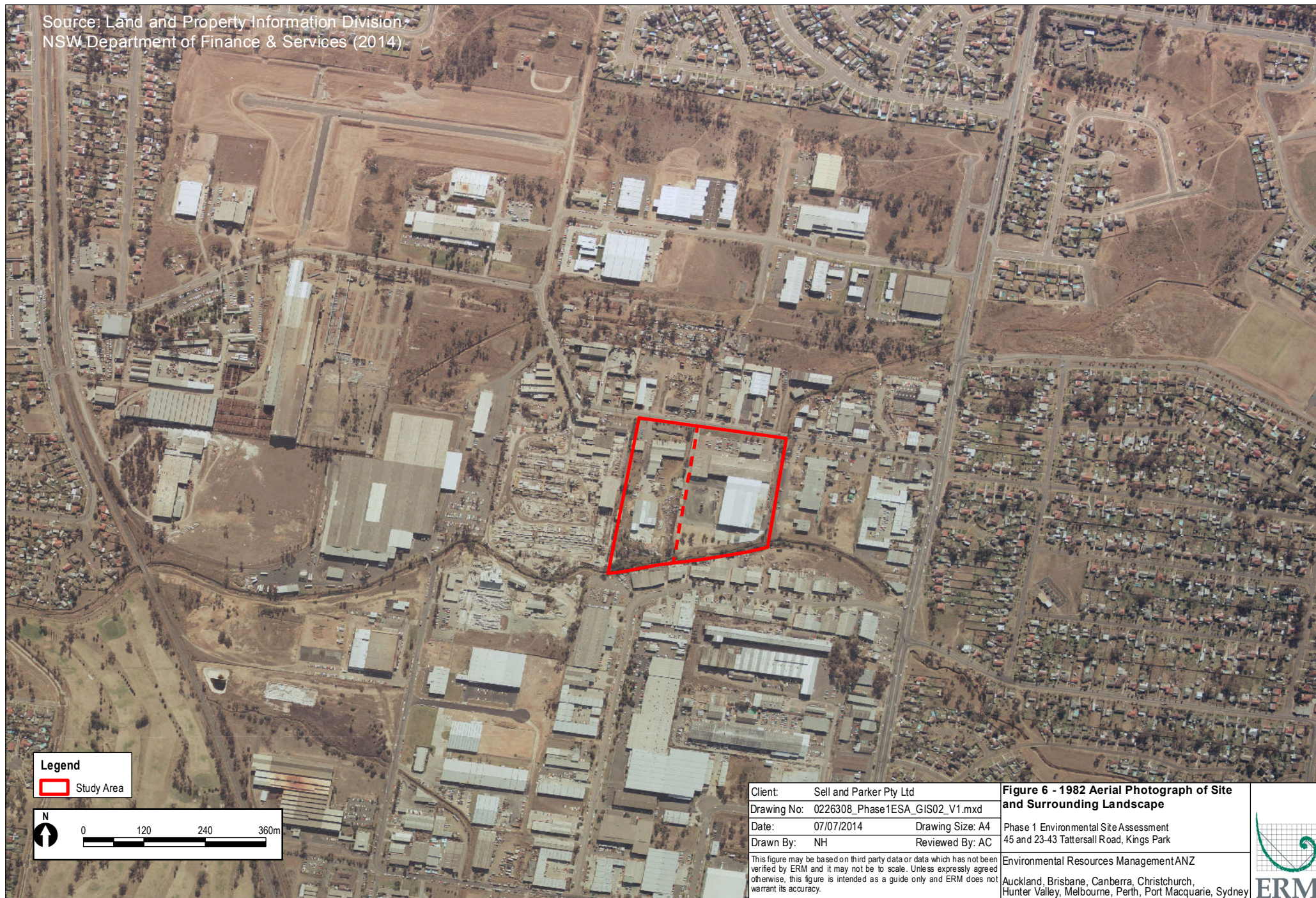
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#### Legend

Study Area

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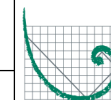
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#### Figure 6 - 1982 Aerial Photograph of Site and Surrounding Landscape

Phase 1 Environmental Site Assessment  
45 and 23-43 Tattersall Road, Kings Park

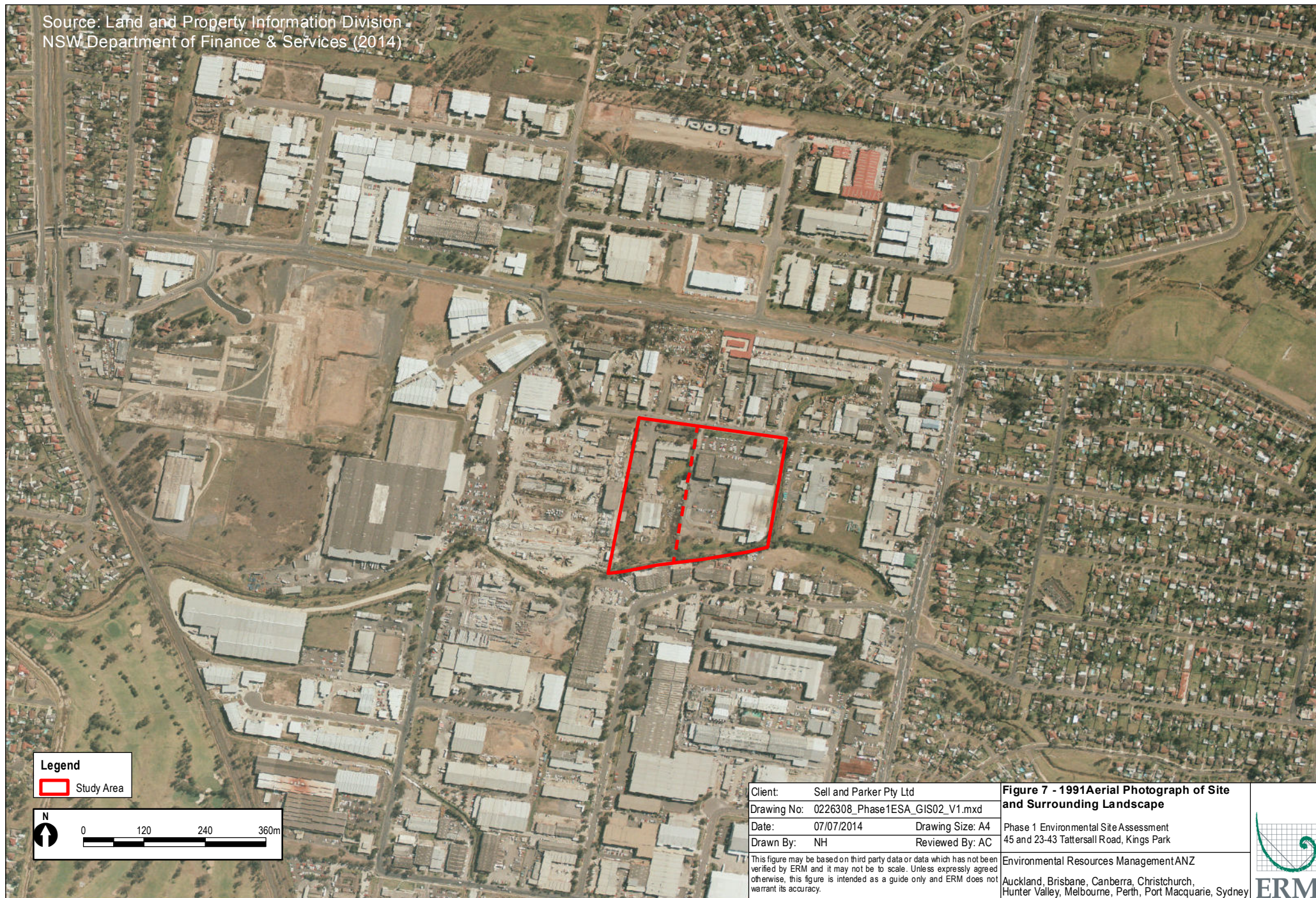
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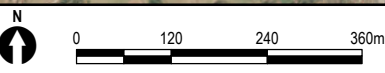
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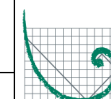
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## Figure 7 - 1991 Aerial Photograph of Site and Surrounding Landscape

Phase 1 Environmental Site Assessment  
45 and 23-43 Tattersall Road, Kings Park

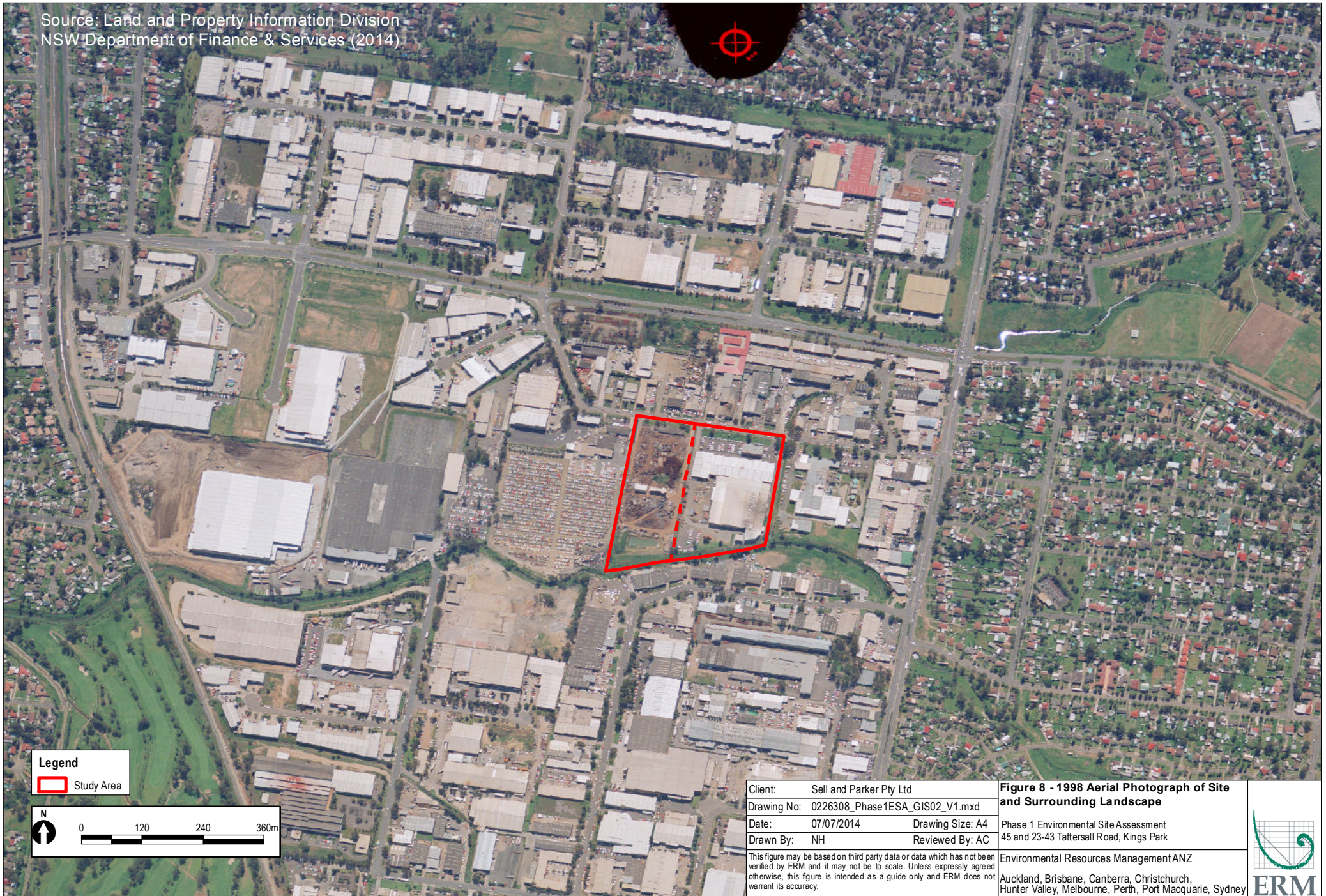
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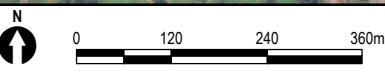
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**Legend**

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**Figure 8 - 1998 Aerial Photograph of Site and Surrounding Landscape**

Phase 1 Environmental Site Assessment  
45 and 23-43 Tattersall Road, Kings Park

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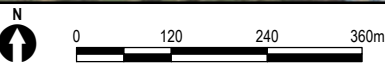


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**Legend**

Study Area



bing™

Client:	Sell and Parker Pty Ltd
Drawing No:	0226308_Phase1ESA_GIS02_V1.mxd
Date:	07/07/2014
Drawn By:	NH
Drawing Size:	A4
Reviewed By:	AC

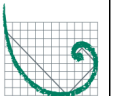
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.

**Figure 9 - 2014 Aerial Photograph (Bing Maps) of Site and Surrounding Landscape**

Phase 1 Environmental Site Assessment  
 45 and 23-43 Tattersall Road, Kings Park

Environmental Resources Management ANZ

Auckland, Brisbane, Canberra, Christchurch,  
 Hunter Valley, Melbourne, Perth, Port Macquarie, Sydney



**ERM**

Annex B

## Photographic Log



**Photograph 1**

*Northern boundary of 45 Tattersall Road, looking south across Tattersall Road.*



**Photograph 2**

*Eastern boundary of 45 Tattersall Road, looking south.*



**Photograph 3**

*Southern boundary of 45 Tattersall Road, looking west along Breakfast Creek*



**Photograph 4**

*Western boundary of 45 Tattersall Road, looking south from site entry.*



**Photograph 5**

*Stockpiled 'flock' material (non-metallic material recovered from site) located in the northern portion of 45 Tattersall Road.*



**Photograph 6**

*Vehicle processing area located near the western-centre of 45 Tattersall Road. Some minor surface standing hardstand in this area.*

## Photographs

*Sell and Parker – 45 Tattersall Road, Phase 1 ESA – 02263087*



**Photograph 7**

*Ferrous stockpile of scrap located in the southern portion of 45 Tattersall Road that contained pooled surface water.*



**Photograph 8**

*Stormwater detention basin near southern boundary of 45 Tattersall Road. Pump flushing surface contaminants towards oil skimming system (refer Photograph 9).*



**Photograph 9**

*Oil skimming system at stormwater detention basin near southern boundary of 45 Tattersall Road.*

## Photographs

*Sell and Parker – 45 Tattersall Road, Phase 1 ESA – 02263087*



**Photograph 10**

*Oil water separator infrastructure at stormwater detention basin near southern boundary of 45 Tattersall Road.*



**Photograph 11**

*Example of hardstand areas at 45 Tattersall Road, with some cracks evident.*



**Photograph 12**

*Small quantities of oils, spray paints and lubricants at entrance to non-ferrous building located along the western boundary in the southern portion of 45 Tattersall Road.*



**Photograph 13**

*Intermediate bulk containers (IBCs) and 210 litre drums containing degreasers inside the non-ferrous building along the western boundary in the southern portion of 45 Tattersall Road.*



**Photograph 14**

*Temporary liquid storage immediately north of non-ferrous building along the western boundary in the southern portion of 45 Tattersall Road.*



**Photograph 15**

*Temporary oil storage recovered from cars in the liquid store along the western boundary in the southern portion of 45 Tattersall Road.*



**Photograph 16**

*View of northern boundary of 23-43 Tattersall Road, looking west along Tattersall Road.*



**Photograph 17**

*Eastern boundary of 23-43 Tattersall Road, looking north along stormwater channel.*



**Photograph 18**

*Southern boundary of 23-43 Tattersall Road, looking west adjacent to Breakfast Creek.*

## **Photographs**

*Sell and Parker – 23-43 Tattersall Road, Phase 1 ESA – 02263087*



**Photograph 19**

*Western boundary of 23-43 Tattersall Road, looking south along boundary with to 45 Tattersall Road.*



**Photograph 20**

*Hardstand car park and landscaped areas in northern portion of 23-43 Tattersall Road*



**Photograph 21**

*Car park and landscaped (picnic) area along southern boundary of 23-43 Tattersall Road.*



**Photograph 22**

Pallets and waste compactor located near south western corner of 23-43 Tattersall Road.



**Photograph 23**

A high voltage electrical substation located along the eastern boundary of 23-43 Tattersall Road.



**Photograph 24**

A bunded wash down area with underground sump located in the south eastern portion of 23-43 Tattersall Road.



**Photograph 25**

External view of manufacturing area warehouse at 23-43 Tattersall Road.



**Photograph 26**

Internal view of covered breezeway building showing rolled aluminium processing area at 23-43 Tattersall Road.



**Photograph 27**

Internal view of maintenance area at 23-43 Tattersall Road.

## Photographs

*Sell and Parker – 23-43 Tattersall Road, Phase 1 ESA – 02263087*



**Photograph 28**

Internal view of warehouse 2 showing general storage area at 23-43 Tattersall Road.



**Photograph 29**

Internal view of paintline building at 23-43 Tattersall Road.



**Photograph 30**

Asbestos signage on the warehouse area in the south eastern portion of 23-43 Tattersall Road.

## Photographs

Sell and Parker – 23-43 Tattersall Road, Phase 1 ESA – 02263087



**Photograph 31**

Depot 1 – located in the south eastern portion of the site, comprising 12 bays of racking which contained three IBCs and drums including: paints, cleaners, thinners and coatings.



**Photograph 32**

Depot 2 – located, to the rear of the maintenance building, comprising six, 15kg liquefied petroleum gas (LPG) canisters and one, 45kg LPG canister.



**Photograph 33**

Depot 3 – located, outside the rear of the press shop, comprising a 4,500 litre liquid argon above ground storage tank (AST), 1,500 litre liquid carbon dioxide AST tank and 1,500 litre oxygen AST.

## Photographs

*Sell and Parker – 23-43 Tattersall Road, Phase 1 ESA – 02263087*



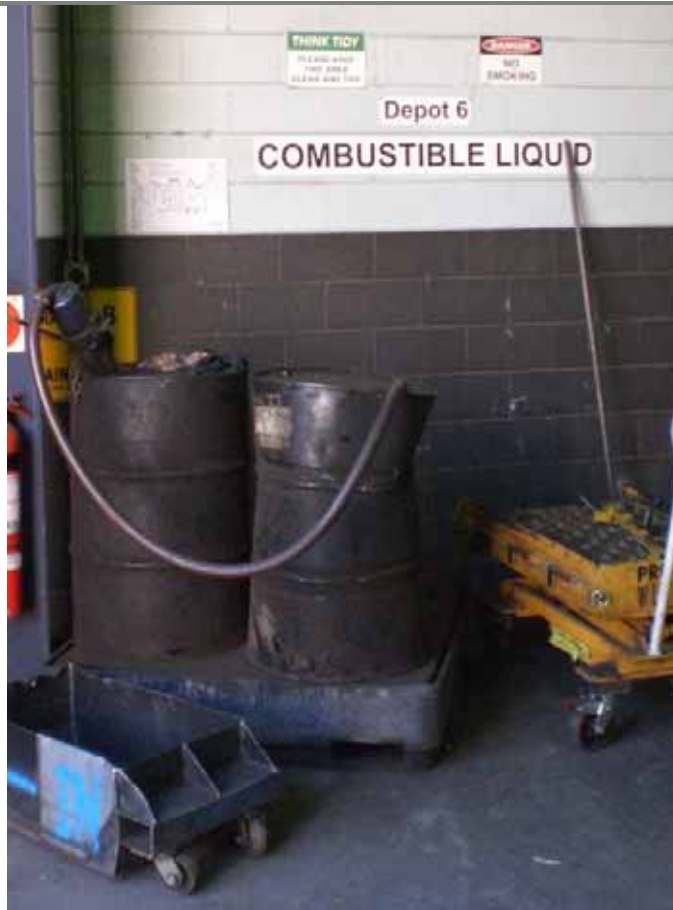
**Photograph 34**

Depot 4 – located in the north western external corner of the maintenance area, comprising six, 8.75 m3 above ground storage tanks (ASTs) labelled 'Argon shielding, non-toxic'



**Photograph 35**

Depot 5 – located along the northern wall of the maintenance area, comprising 250 litres of flammable liquid.



**Photograph 36**

Depot 6 – located near open area in the covered breezeway between warehouses, comprised two 210 litre drums, within unknown contents



**Photograph 37**

Depot 8 – located within paintline building, comprising two 'Dexion orange paint/coater'



**Photograph 38**

Depot 9 - located within paintline building,  
comprised one IBC labelled phosphate



**Photograph 39**

Depot 10 – located within paintline building,  
comprised of six paint hoppers

### **Photographs**

*Sell and Parker – 23-43 Tattersall Road, Phase 1 ESA – 02263087*



**Photograph 40**

Eight, 210 litre metal drums, labelled 'mixed waste oil' and 'contaminated waste, dry, sorbent, Grease and oily rags' in unbounded area along the western boundary and not within a designated depot area



### **Photographs**

*Sell and Parker – 23-43 Tattersall Road, Phase 1 ESA – 02263087*

Annex C

## Historical Title Search

# **ADVANCE LEGAL SEARCHERS PTY LIMITED**

(ACN 147 943 842)

ABN 82 147 943 842

PO Box 149  
Yagoona NSW 2199

Telephone: +612 9644 1679  
Mobile: 0412 169 809  
Facsimile: +612 8076 3026  
Email: [alsearch@optusnet.com.au](mailto:alsearch@optusnet.com.au)

13<sup>th</sup> June, 2014

**ENVIRONMENTAL RESOURCES MANAGEMENT  
AUSTRALIA PTY LTD**  
PO Box 5711,  
**PORT MACQUARIE NSW 2444**

**Attention: Nathan Hegerty,**

**RE: 23-43 Tatterstalls Road,  
Kings Park**

<b>Note 1:</b>	<b>Lot 5</b>	<b>DP 7086</b>	<b>(page 1)</b>
<b>Note 2:</b>	<b>Lot 2</b>	<b>DP 550522</b>	<b>(page 4)</b>

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**Note 1:**

## **Current Search**

Folio Identifier 5/7086 (title attached)  
DP 7086 (plan attached)  
Dated 11<sup>th</sup> June, 2014  
Registered Proprietor:  
**SELL & PARKER (HOLDINGS) PTY LIMITED**

# **Title Tree**

## **Lot 5 DP 7086**

Folio Identifier 5/7086

Certificate of Title Volume 10439 Folio 218

Certificate of Title Volume 2426 Folio 12

Certificate of Title Volume 2127 Folio 216

\*\*\*\*

## **Summary of Proprietors**

### **Lot 5 DP 7086**

**Year**                      **Proprietor**

	<b>(Lot 5 DP 7086)</b>
1996 – todate	Sell & Parker (Holdings) Pty Limited
1988 – 1996	Ronald Thomas Burton, builder
	<b>(Lot 5 DP 7086 – CTVol 10439 Fol 218)</b>
1966 – 1988	Ronald Thomas Burton, builder
	<b>(Lot 5 DP 7086 – Area 7 Acres 0 Roods 13 ½ Perches – CTVol 2426 Fol 12)</b>
1962 – 1966	Ronald Thomas Burton, builder
1959 – 1962	William Palmerston Burton, retired
1943 – 1959	Samuel Hanna Erwin, poultry farmer Lucy Erwin
1929 – 1943	Robert Imlay, fitter Rose Imlay
1913 – 1929	Charles Richard Webb, boilermaker
	<b>(Part Portions 133 &amp; 134 Parish Prospect – Area 278 Acres ) Roods 34 ¼ Perches – CTVol 2127 Fol 216)</b>
1911 – 1913	Lucia Sarah Tattersall, wife of grazier

\*\*\*\*

**Note 2:****Current Search**

Folio Identifier 2/550522 (title attached)

DP 550522 (plan attached)

Dated 11<sup>th</sup> June, 2014

Registered Proprietor:

**SELL & PARKER (HOLDINGS) PTY LIMITED**

**Title Tree**  
**Lot 2 DP 550522**

Folio Identifier 2/550522

Certificate of Title Volume 11667 Folio 174

**(a)**

**(b)**

CTVol 2931 Folio 212

CTVol 6860 Folio 4

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CTVol 2615 Folio 45

Certificate of Title Volume 2127 Folio 216

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## Summary of Proprietors Lot 2 DP 550522

Year	Proprietor
	<b>(Lot 2 DP 550522)</b>
2007 – todate	Sell & Parker (Holdings) Pty Limited
(2004 – todate)	<i>(lease to Dexion (Australia) Pty Limited, of 23 – 43 Tattersalls Road, Kings Park)</i>
2004 – 2007	Perpetual Trustee Company Limited
1988 – 2004	Dexion (Australia) Pty Limited
	<b>(Lot 2 DP 550522 – CTVol 11667 Fol 174)</b>
1971 – 1988	Dexion (Australia) Pty Limited

See Notes (a) & (b)

### Note (a)

	<b>(Lot 4 DP 7086 – Area 6 Acres 1 Rood 2 Perches – CTVol 2931 Fol 212)</b>
1969 – 1971	Dexion (Australia) Pty Limited
1967 – 1969	Carmina Pty Limited
1959 – 1967	Monsanto Chemicals (Australia) Limited
1957 – 1959	Beetle- Elliot Pty Limited
1929 – 1957	Albert George Shaw, trapper
1920 – 1929	Edward John Campbell, farmer
1920 – 1920	Benjamin Heath, poultry farmer Hannah Bettridge Heath
1919 – 1920	Robert Dean, ironmonger
	<b>(Part Portions 133 &amp; 134 Parish Prospect – Area 278 Acres ) Roods 34 ¼ Perches – CTVol 2127 Fol 216)</b>
1911 – 1919	Lucia Sarah Tattersall, wife of grazier

\*\*\*\*

**Note (b)**

	<b>(Lot 3 DP 7086 &amp; Lot A DP 387453 – Area 9 Acres 2 Roods 32 ¾ Perches – CTVol 6860 Fol 4)</b>
1969 – 1971	Dexion (Australia) Pty Limited
1967 – 1969	Carmina Pty Limited
1959 – 1967	Monsanto Chemicals (Australia) Limited
1957 – 1959	Beetle- Elliot Pty Limited
1956 – 1956	Materials Pty Limited
1954 – 1956	Arthur James Douglas, storeman
	<b>(Lot 2 &amp; 3 DP 7086 – Area 10 Acres 1 Rood 22 ¾ Perches – CTVol 2615 Fol 45)</b>
1945 – 1954	Arthur James Douglas, farm hand
1944 – 1945	Annie McMahon, widow
1920 – 1944	Joseph McMahon, farmer
1925 – 1920	John Thomas Jennings, farmer
	<b>(Part Portions 133 &amp; 134 Parish Prospect – Area 278 Acres ) Roods 34 ¾ Perches – CTVol 2127 Fol 216)</b>
1911 – 1919	Lucia Sarah Tattersall, wife of grazier

\*\*\*\*

**Requested Parcel :** Lot 2 DP 550522

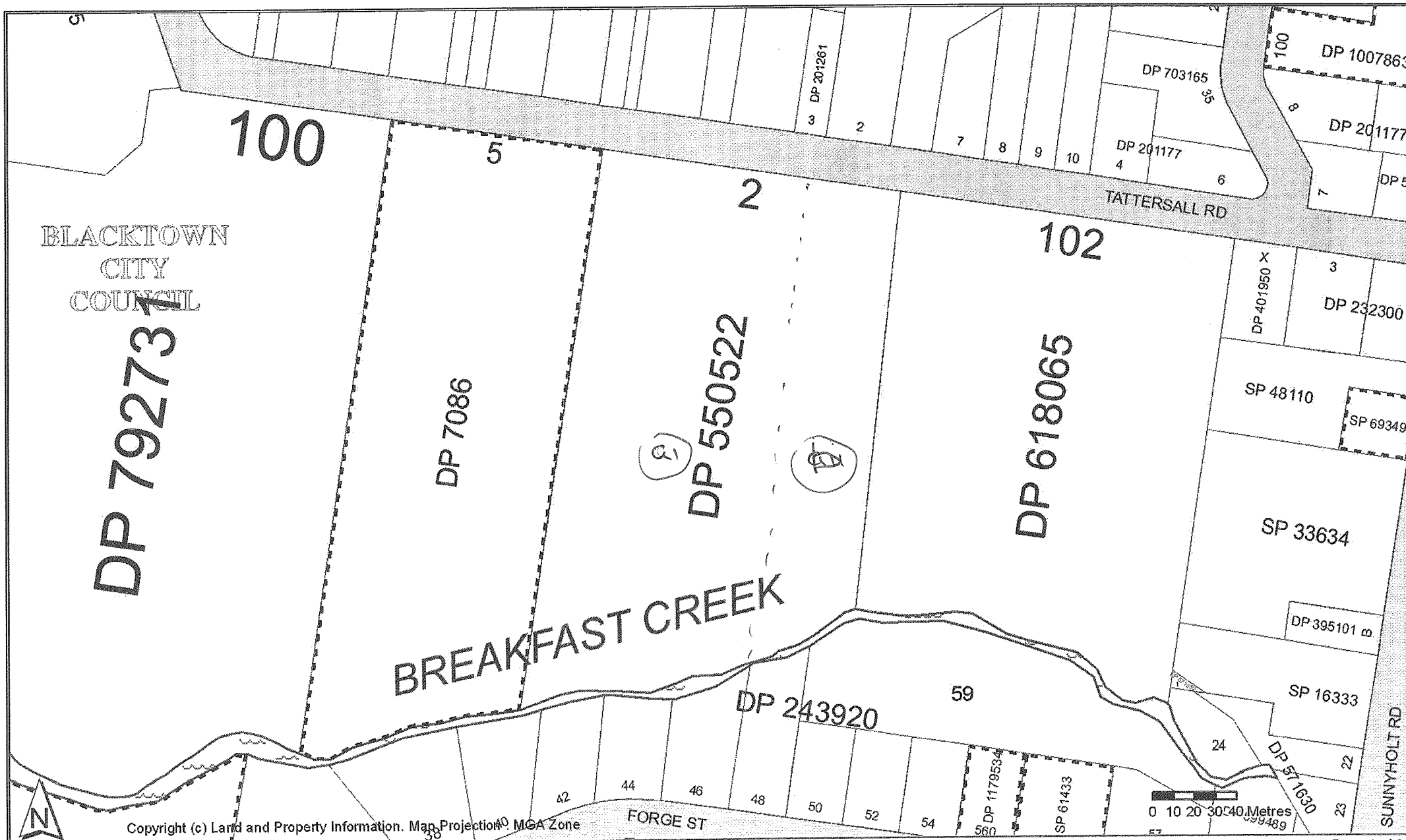
**Identified Parcel :** Lot 2 DP 550522

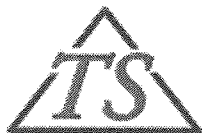
**Locality :** KINGS PARK

**LGA :** BLACKTOWN

**Parish :** PROSPECT

**County :** CUMBERLAND





**Advance Legal Searchers**  
**Pty Ltd** Phone: 02 9754 1590

LPI On-Line

Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 5/7086

SEARCH DATE	TIME	EDITION NO	DATE
11/6/2014	4:18 PM	4	28/3/2012

LAND

LOT 5 IN DEPOSITED PLAN 7086  
 AT MARAYONG  
 LOCAL GOVERNMENT AREA BLACKTOWN  
 PARISH OF PROSPECT COUNTY OF CUMBERLAND  
 TITLE DIAGRAM DP7086

FIRST SCHEDULE

SELL & PARKER (HOLDINGS) PTY LIMITED (T 0912900)

SECOND SCHEDULE (6 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 H478705 EASEMENT FOR TRANSMISSION LINE AFFECTING THE PART  
 OF THE LAND WITHIN DESCRIBED SHOWN AS 66 FEET WIDE IN  
 THE PLAN WITH H478705  
 Z688968 TRANSFER OF EASEMENT TO PROSPECT COUNTY COUNCIL
- 3 I4081 EASEMENT TO DRAIN WATER 21.5 WIDE AND VAR  
 AFFECTING PART OF THE LAND ABOVE DESCRIBED SHOWN SO  
 BURDENED IN DP643925
- 4 O912901 MORTGAGE TO WESTPAC BANKING CORPORATION
- 5 DP1173700 EASEMENT FOR 2.75 METRE(S) WIDE AFFECTING THE PART(S)  
 SHOWN SO BURDENED IN DP1173700
- 6 DP1173700 EASEMENT FOR UNDERGROUND CABLES 1 METRE(S) WIDE  
 AFFECTING THE PART(S) SHOWN SO BURDENED IN DP1173700

NOTATIONS

UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

DP 7086

7086

A.23883.3.5.13

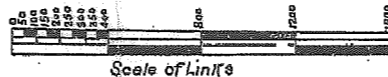
A

PLAN  
OF SUBDIVISION OF  
Part of Portions 133 and 134  
Certificate of Title Vol. 2127 Fol. 216

P<sup>th</sup> of Prospect County of Cumberland

BLACKTOWN

Vol. 2127 Fol. 216



1. Bruce Richard Duffie, Registrar General for New South Wales, certify that this is a true and correct copy of the original plan as deposited in my custody this 19th day of September, 1919.

Diagram

This is the plan marked A referred to in the annexed declaration of E.H. Gundry dated 2<sup>nd</sup> May 1913.

E.H. Gundry J.P.


NOTE: Bearings are to True Meridian.

Azimuth from R.2493 1000 Line AB.  
Date of Survey Nov. 1912

E.H. Gundry  
Licensed Surveyor

1

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4.87	4.87
4.88	4.88
4.89	4.89
4.90	4.90
4.91	4.91
4.92	4.92
4.93	4.93
4.94	4.94
4.95	4.95
4.96	4.96
4.97	4.97
4.98	4.98
4.99	4.99
5.00	5.00



REGISTRAR GENERAL'S DEPARTMENT

CONVERSION TABLE ADDED IN  
DP 1006

LINKS	METRES
2.09	0.46
2.10	0.48
4.93	0.99
5.02	1.205
5.04	1.92
14.95	2.895
15.05	5.139
35.09	7.065
39.45	9.143
50	10.06
67.8	14.18
78.16	15.319
95.8	19.19
99	19.519
99.73	20.015
100	20.115
100.02	20.12
100.45	20.205
110.07	22.269
111.4	22.89
111.4	23.95
115.6	25.153
132.69	31.535
133.69	31.895
139.73	38.095
139.73	40.16
200.87	40.41
215.68	43.39
215.68	43.39
223.54	46.035
223.54	46.74
246.23	49.48
251.4	49.555
251.4	50.57
261.7	52.51
261.7	52.51
281.72	53.77
281.72	56.47
289.66	58.13
292.18	59.73
296.44	63.53
307.11	61.75
307.11	61.75
309.78	61.94
312.17	62.11
322.912	62.49
329.708	65.9
331.408	66.57
352.847	70.83
354.06	71.83
359.4	72.5
359.63	72.5
375.67	79.87
432.06	81.97
432.06	86.22
460.82	92.44
473.78	95.81
489.57	98.9
493.62	100.11
493.62	100.11
500	100.12
493.71	100.38
500	100.38
532.37	108.87
529.59	106.82
539.03	107.89
539.03	107.89
575.932	111.53
594.56	111.59
594.56	111.6
594.65	111.6
631.125	115.68
641.03	133.98
673.04	138.16
673.34	138.16
750.56	149.59
757.52	149.59
794.39	194.71



**Advance Legal Searchers**  
**Pty Ltd** Phone: 02 9754 1590

LPI On-Line

Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

11/6/2014 4:22PM

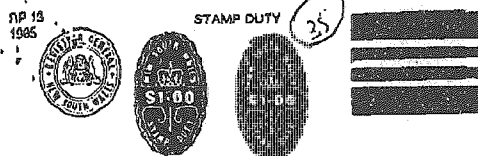
FOLIO: 5/7086

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 10439 FOL 218

Recorded	Number	Type of Instrument	C.T. Issue
21/8/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
11/1/1989		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
12/11/1990	DP643925	DEPOSITED PLAN	
26/6/1991	Z688968	TRANSFER	
5/1/1993	I4081	TRANSFER GRANTING EASEMENT	EDITION 1
11/4/1995	O154126	DISCHARGE OF MORTGAGE	EDITION 2
14/2/1996	O912900	TRANSFER	
14/2/1996	O912901	MORTGAGE	EDITION 3
28/3/2012	DP1173700	DEPOSITED PLAN	EDITION 4

\*\*\* END OF SEARCH \*\*\*



See Annexures A+B

# TRANSFER

REAL PROPERTY ACT, 1900

DESCRIPTION  
OF LAND  
Note (a)

Torrens Title Notation

If Part Only, Delete Whole and Give Details

Location

Refer to Annexure hereto  
Marked "A"

WHOLE

TRANSFEROR  
Note (b)

THE ELECTRICITY COMMISSION OF NEW SOUTH WALES

ESTATE  
Note (c)

(The abovesaid TRANSFEROR) hereby acknowledges receipt of the consideration of \$6,300.00 and transfers on estate in fee simple all its estate and interest in Transmission Line Easements created by dealings referred to in annexure hereto and in the land above described to the TRANSFEREE marked with the letter "B"

TRANSFEE  
Note (d)

THE PROSPERITY COUNTY COUNCIL of 10 Smith Street, Parramatta

TENANCY  
Note (e)

as joint tenants/tenants in common

PRIOR  
ENCUMBRANCES  
Note (f)

subject to the following PRIOR ENCUMBRANCES 1.

2.

3.

DATE 16th April 1991

We hereby certify this dealing to be correct for the purposes of the Real Property Act, 1900.

Signed in my presence by the transferor who is personally known to me

H. W. Mackenzie  
Signature of Witness

R. W. Mackenzie  
Name of Witness (BLOCK LETTERS)

Park and Elizabeth Sts. Sydney  
Address and occupation of Witness

RESURPTIONS OFFICER

Signed in my presence by the transferee who is personally known to me

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and occupation of Witness

Signed for THE ELECTRICITY COMMISSION  
OF NEW SOUTH WALES pursuant to a  
delegation made on 30th September,  
1988 by Mr ANTHONY ROBERT TINS,  
MANAGER/PROPERTY & SURVEY

Signature of Transferee

L. J. ANDREATTI  
SOLICITOR FOR TRANSFEE  
LOCATION OF DOCUMENTS

TO BE COMPLETED  
BY LODGING PARTY  
Notes (h)  
and (i)

LOADED BY

Mackenzie

CT

OTHER

Handled

In L.T.O. with

Produced by

Delivery Box Number

S44 F

OFFICE USE ONLY

Checked

Passed

REGISTERED

-18

Signed

Extra Fee



26 JUN 1991

Secondary  
Directions

Delivery  
Directions

See Annexures A+B

Creates Q557811 - M591312 do not print

"ANNEXURE A"

ANNEXURE TO TRANSFER

Dated:

from THE ELECTRICITY COMMISSION OF NEW SOUTH WALES


to THE PROSPECT COUNTY COUNCIL

being a continuation of the description of land parcel referred to on front of form

AFFECTED TORRENS TITLE REFERENCES		Whole or part	If part only give details	Location
Folio Identifier	Volume Folio			
101/604863	13961 17 now being	Whole		Marayong
22/244116	12021 250 now being	Whole		Marayong
10/244116		Whole		Marayong
11/244116	12021 239 now being			Marayong
12/244116		Whole		Marayong
23/202506	9054 164 now being	Whole		Marayong
72/202506	9054 163 now being	Whole		Marayong
21/202506	9054 162 now being	Whole		Marayong
20/202506		Whole		Marayong
32/202506	9054 173 now being	Whole		Marayong
14/202506		Whole		Marayong
13/202506	9054 154 now being	Whole		Marayong
12/202506		Whole		Marayong
11/202506		Whole		Marayong



ANTHONY ROBERT TIMS  
 MANAGER/PROPERTY & SURVEY



NEW SOUTH WALES

Appln. No. 8170

Prior Title Vol. 2426 Fol. 12

CERTIFICATE OF TITLE  
PROPERTY ACT, 1900, as amended.



Vol. 10439 Fol. 218

RP. Edition issued 17-11-1966

K485282

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

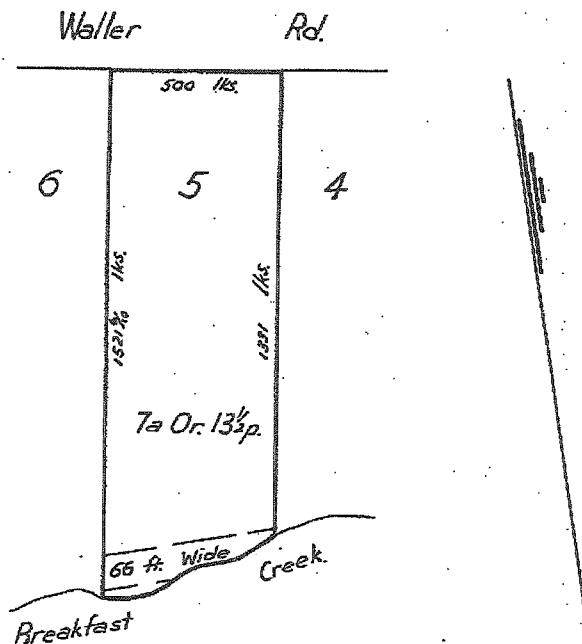
Witness

*S. Vandine*

*Jawataon* SEE AUTO  
Registrar General.



PLAN SHOWING LOCATION OF LAND



Scale : 4 chains to one inch.

ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 5 in Deposited Plan 7086 at Marayong in the Municipality of Blacktown Parish of Prospect and County of Cumberland being part of Portion 134 granted to Frederick Garling on 31-8-1819.

FIRST SCHEDULE (Continued overleaf)

RONALD THOMAS BURTON of Bass Hill, Builder.

*Jawataon*  
Registrar General

SECOND SCHEDULE (Continued overleaf)

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.  
2. Easement for Transmission Line created by Resumption No. H478705 affecting the part of land within described shown as 66 feet wide in the plan hereon.  
3. Mortgage No. K478344 to Commercial & General Acceptance Limited. Entered 26-10-1966. Discharged K864835

*Jawataon*  
Registrar General

WARNING THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

Vol. 103701 Fol 218

[illegible]

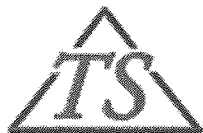
K660995  
 67  
 4598365  
 1667800236  
 L6982261  
 M901559 D  
 7601  
 N 928 4550M  
 20 N  
 P5277420/m  
 (N9284550) 1  
 R549071 Rle2  
 R  
 S339699w/x

mx  
(Page 2 of 2 pages)

INSTRUMENT			PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION	
NATURE	NUMBER	DATE					
Mortgage	L 546363	14.11.1969	to Bank of South Wales	14.11.1969	J. J. J. J.	Discharged	L 647804
Mortgage	L 647805	14.11.1969	To Commercial & General Acceptance Limited	14.12.1969	J. J. J. J.	Discharged	M 901339
Mortgage	1698226	19.12.1969	to Commercial & General Acceptance Limited	13.1.1970	J. J. J. J.	Discharged	M 901339
Mortgage	M 901340	4.9.1972	to Bank of South Wales	27.9.1972	J. J. J. J.	Discharged	N 928455
Mortgage	N 928456	28.6.1974	to A.G.C. (Advances) Limited	22.7.1974	J. J. J. J.	Discharged	V 368283
Conveyance	N 547091	2	by Her Most Excellent Majesty Queen Elizabeth the Second	29.11.1979	J. J. J. J.	Withdrawn	S 339649
V368284	Mortgage to Westpac Banking Corporation Registered 9-10-1984						

V-36P283.  
P.N.  
K.

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR-GENERAL ARE CANCELLED



**Advance Legal Searchers**  
**Pty Ltd** Phone: 02 9754 1590

LPI On-Line

Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act.

Information provided through Tri-Search an approved LPI/NSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH

FOLIO: 2/550522

SEARCH DATE	TIME	EDITION NO	DATE
11/6/2014	4:19 PM	10	8/2/2007

LAND

LOT 2 IN DEPOSITED PLAN 550522  
 AT MARAYONG  
 LOCAL GOVERNMENT AREA BLACKTOWN  
 PARISH OF PROSPECT COUNTY OF CUMBERLAND  
 TITLE DIAGRAM DP550522

FIRST SCHEDULE

SELL & PARKER (HOLDINGS) PTY LIMITED (T AC900736)

SECOND SCHEDULE (5 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 M899111 EASEMENT TO DRAIN WATER APPURTENANT TO THE LAND  
 ABOVE DESCRIBED AFFECTING THE PIECE OF LAND SHOWN AS  
 7.315M WIDE WITHIN LOT 1 IN DP550522
- 3 V409992 EASEMENT TO DRAIN WATER AFFECTING THE LAND SHOWN AS  
 PROPOSED EASEMENT TO DRAIN WATER VARIABLE WIDTH IN  
 DP635965
- 4 AB76599 LEASE TO DEXION (AUSTRALIA) PTY LIMITED OF 23-43  
 TATTERSALL RD, KINGS PARK. EXPIRES: 15/2/2016. OPTION  
 OF RENEWAL: 5 YEARS WITH A FURTHER OPTION OF 5 YEARS.
- 5 AC924033 MORTGAGE TO WESTPAC BANKING CORPORATION

NOTATIONS

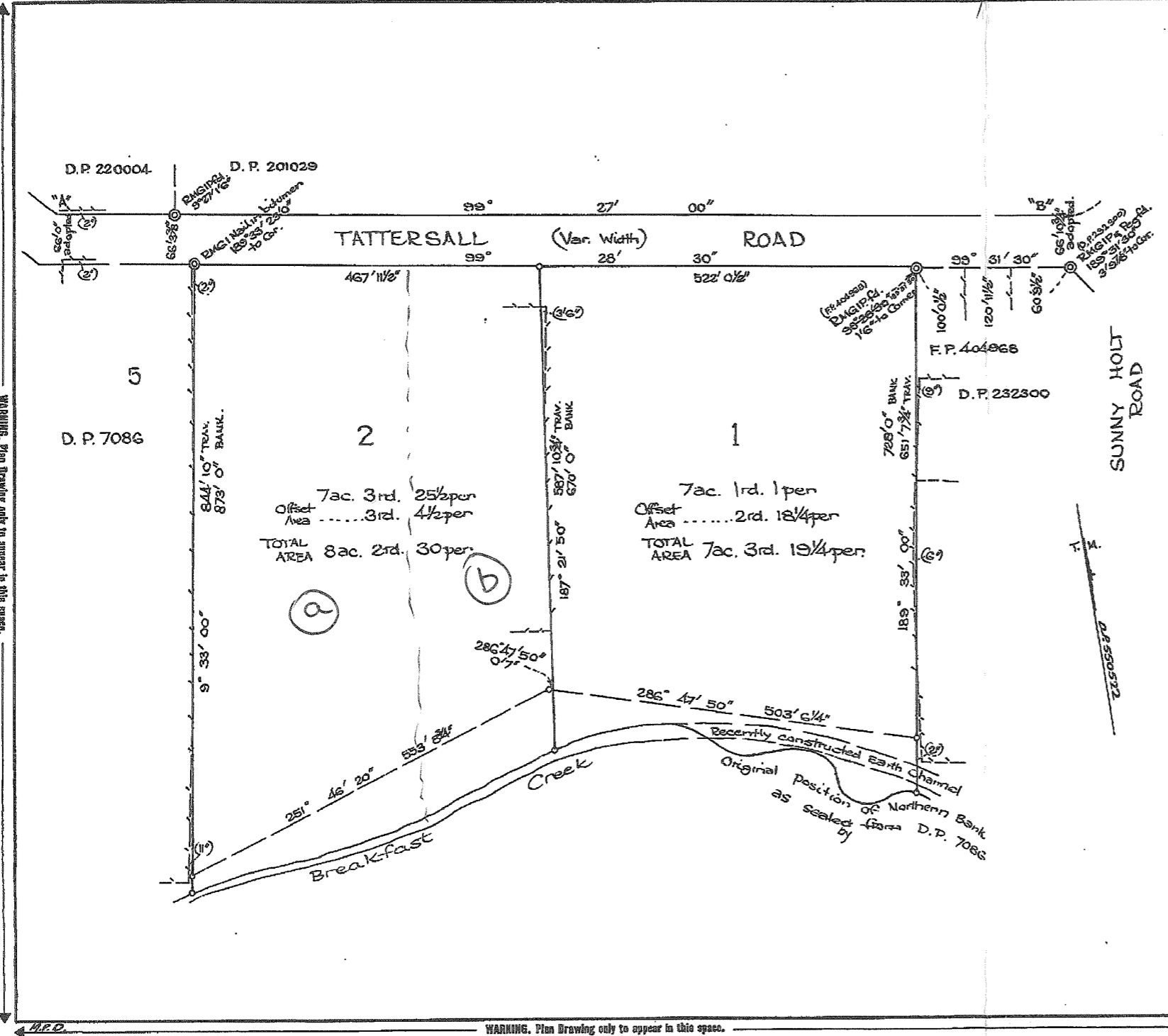
UNREGISTERED DEALINGS: NIL

\*\*\* END OF SEARCH \*\*\*

Plan Form 3—TO BE USED WHERE IT IS INTENDED TO DEDICATE PUBLIC ROADS OR PUBLIC RESERVES OR CREATE DRAINAGE RESERVES, EASEMENTS, OR RESTRICTIONS AS TO USER.

DP550522

\* OFFICE USE ONLY.



**D.P. 550522**

Registered: 24.8.1971 N

C.A. N°4728 of 30.4.1971

Title System: **Torrens**

Purpose: **Subdivision**

Ref. Map: **C.C.C. 365**

Last Plan: **EP. 387453 (D.P. 7086)**

**D.P. 7086**

**PLAN OF SUBDIVISION**  
of Lots 3 & 4 in D.P. 7086  
as Lots A & B in  
**F.P. 387453**

Scale: 100 feet to an inch

Dist. 18th

City: **BLACKTOWN**

Locality: **MARAYONG**

Parish: **PROSPECT**

County: **CUMBERLAND**

This is sheet 4 of my plan in sheets  
Delete if inapplicable.

**PAUL KEEN**  
G. H. MARTIN & CUTLER  
of M. A. K. & S. SYDNEY  
a surveyor registered under the Surveyors Act, 1929, as amended, hereby certify that the survey represented in this plan  
is accurate and has been made (1) by me (2) under my immediate supervision in accordance with the Surveyors Act, 1929, and was completed on  
**18-7-71**

Signature: *[Signature]*

Surveyor registered under Surveyors Act, 1929, as amended.  
Deputy of Assistant: **A. B.**  
\*Strike out either (1) or (2). Insert date of survey.

Panel for use only for statements of intention to dedicate public roads or public reserves or create drainage reserves, easements, or restrictions as to user.

**SIGNATURES AND SEALS ONLY.**

THE COMMON SEAL OF DEXION (AUSTRALIA) PTY LIMITED WAS HEREUNTO AFFIXED PURSUANT TO A RESOLUTION OF THE BOARD OF DIRECTORS AND IN THE PRESENCE OF:

*[Signature]* DIRECTOR

*[Signature]* SECRETARY

**Council Clerk's Certificate.**

I hereby certify that—

(a) the requirements of the Local Government Act, 1919 (other than the requirements for the registration of plans), and

(b) the requirements of section 246 of the Metropolitan Water, Sewerage, and Drainage Act, 1924, as amended, (Metropolitan District Water, Sewerage, and Drainage Act, 1929, as amended),

have been complied with by the applicant in relation to the proposed **new road** or "subdivision" set out hereon.

Subdivision No. **4728**

Date: **30th Dec. 1971**

(Signature) *[Signature]* Council Clerk

This part of certificate to be deleted where the application is only for the opening of a new road or where the land to be subdivided is wholly outside the area of operations of the Metropolitan Water, Sewerage and Drainage Board and the Greater District Water Board.

Delete if inapplicable.

CONVERSION TABLE ADDED IN REGISTRAR GENERAL'S DEPARTMENT

DP 550522

FEET INCHES	METRES
2	0.05
6	0.15
7	0.18
9	0.23
11	0.28
12	0.30
13	0.36
14	0.41
15	0.46
16	0.49
17	0.51
18	0.53
19	0.55
20	0.57
21	0.59
22	0.61
23	0.63
24	0.65
25	0.67
26	0.69
27	0.71
28	0.73
29	0.75
30	0.76
31	0.78
32	0.80
33	0.82
34	0.84
35	0.86
36	0.88
37	0.90
38	0.91
39	0.93
40	0.94
41	0.96
42	0.98
43	1.00
44	1.02
45	1.04
46	1.06
47	1.08
48	1.10
49	1.12
50	1.13
51	1.15
52	1.17
53	1.19
54	1.21
55	1.23
56	1.25
57	1.27
58	1.29
59	1.31
60	1.33
61	1.35
62	1.37
63	1.39
64	1.41
65	1.43
66	1.45
67	1.47
68	1.49
69	1.51
70	1.52
71	1.54
72	1.56
73	1.58
74	1.60
75	1.63
76	1.65
77	1.68
78	1.70
79	1.73
80	1.75
81	1.78
82	1.80
83	1.83
84	1.85
85	1.88
86	1.90
87	1.93
88	1.95
89	1.98
90	2.00
91	2.03
92	2.05
93	2.08
94	2.10
95	2.13
96	2.15
97	2.18
98	2.20
99	2.23
100	2.25
101	2.27
102	2.29
103	2.31
104	2.33
105	2.35
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110	2.45
111	2.47
112	2.49
113	2.51
114	2.53
115	2.55
116	2.57
117	2.59
118	2.61
119	2.63
120	2.65
121	2.67
122	2.69
123	2.71
124	2.73
125	2.75
126	2.77
127	2.79
128	2.81
129	2.83
130	2.85
131	2.87
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133	2.91
134	2.93
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141	3.07
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194	4.13
195	4.15
196	4.17
197	4.19
198	4.21
199	4.23
200	4.25

I, Jack Hayward Watson, Registrar General for New South Wales, certify that this negative is a photograph made as a permanent record of a document in my custody this 23rd day of September, 1976.

*[Signature]*



Ref:ERM - Kings Park /Src:T

Form: U11

Licence: 03-10-174

Licensee: Abbott Tout

**TRANSFER**New South Wales  
Real Property Act 1900**AA432323M**

**PRIVACY NOTE:** Section 31B of the Real Property Act 1900 (RP Act) authorises the Register is made available to any person for search upon payment of a fee, if an

**STAMP DUTY**

Office of State Revenue (N.S.W. TREASURY)	
MENT No. 8323749	STAMP No. 1368
AMP DUTY \$2	SIGNATURE <i>[Signature]</i>
TRANSACTION No. 1838290	DATE 16-2-2004
ASSESSMENT DETAILS:	

**(A) TORRENS TITLE**If appropriate, specify the part transferred  
2/550522**(B) LODGED BY**

Delivery Box	Name, Address or DX and Telephone	CODES T TW (Sheriff)
22W	Abbott Tout Solicitors DX 129 Sydney Ref: MMP: 5457751 C.B.A.	

**(C) TRANSFEROR**

Dexion (Australia) Pty Limited ABN 83 000 083 956

**(D) CONSIDERATION**

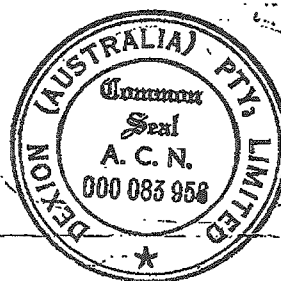
The transferor acknowledges receipt of the consideration of \$14,150,000.00 and as regards

**(E) ESTATE**

the land specified above transfers to the transferee an estate in fee simple.

**(F) SHARE TRANSFERRED****(G)** Encumbrances (if applicable): 1. 2. 3.**(H) TRANSFEE**

Perpetual Trustee Company Limited ACN 000 001 007

**(I)****TENANCY:****DATE**16/2/2004  
dd mm yyyy

**(J)** Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below.

Corporation:

Authority:

Signature of authorised person:

*[Signature of Trevor Clayton]*Name of Authorised Person: **TREVOR CLAYTON**  
Office Held: **Company Secretary & Director**

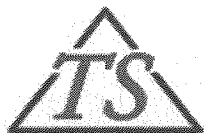
Signature of authorised person:

*[Signature of Mary Isbell]*Name of Authorised Person: **MARY ISBELL**  
Office Held: **Director**

Certified for the purposes of the Real Property Act 1900 by the person whose signature appears below.

Signature:

*[Signature of Madeleine Perrignon]*Signatories name: **Madeleine Perrignon**  
Signatories capacity: **transferee's solicitor**



**Advance Legal Searchers**  
**Pty Ltd** Phone: 02 9754 1590

LPI On-Line

Advance Legal Searchers Pty Ltd hereby certifies that the information contained in this document has been provided electronically by the Registrar General.

Information provided through Tri-Search an approved LPINSW Information Broker

LAND AND PROPERTY INFORMATION NEW SOUTH WALES - HISTORICAL SEARCH

SEARCH DATE

11/6/2014 4:24PM

FOLIO: 2/550522

First Title(s): SEE PRIOR TITLE(S)

Prior Title(s): VOL 11667 FOL 174

Recorded	Number	Type of Instrument	C.T. Issue
28/3/1988		TITLE AUTOMATION PROJECT	LOT RECORDED FOLIO NOT CREATED
21/7/1988		CONVERTED TO COMPUTER FOLIO	FOLIO CREATED CT NOT ISSUED
16/11/1992	E901774	MORTGAGE	EDITION 1
3/11/1993		AMENDMENT: LOCAL GOVT AREA	
1/9/1997	3372986	DISCHARGE OF MORTGAGE	
1/9/1997	3372987	MORTGAGE	EDITION 2
11/5/1999	5811871	DISCHARGE OF MORTGAGE	
11/5/1999	5811872	MORTGAGE	EDITION 3
16/2/2001	7409194	TRANSFER OF MORTGAGE	
19/1/2004	AA339781	DISCHARGE OF MORTGAGE	
19/1/2004	AA339782	MORTGAGE	EDITION 4
29/1/2004	AA364463	MORTGAGE	EDITION 5
19/2/2004	AA432321	DISCHARGE OF MORTGAGE	
19/2/2004	AA432322	DISCHARGE OF MORTGAGE	
19/2/2004	AA432323	TRANSFER	
19/2/2004	AA432324	MORTGAGE	EDITION 6
8/11/2004	AB76599	LEASE	EDITION 7
31/8/2006	AC567738	APPLICATION FOR REPLACEMENT CERTIFICATE OF TITLE	EDITION 8
31/1/2007	AC900735	DISCHARGE OF MORTGAGE	
31/1/2007	AC900736	TRANSFER	EDITION 9
8/2/2007	AC924033	MORTGAGE	EDITION 10

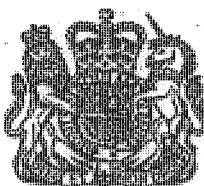
\*\*\* END OF SEARCH \*\*\*

NEW SOUTH WALES

**CIFICATE OF TITLE**  
PROPERTY ACT, 1900, as amended.



11667174



Vol. **11667** Fol. **174**

Appln. No.8170

Prior Titles Vol.2931 Fol.212  
Vol.6860 Fol. 4

Edition issued 16-9-1971

I certify that the person described in the First Schedule is the registered proprietor of the undermentioned estate in the land within described subject nevertheless to such exceptions encumbrances and interests as are shown in the Second Schedule.

Witness

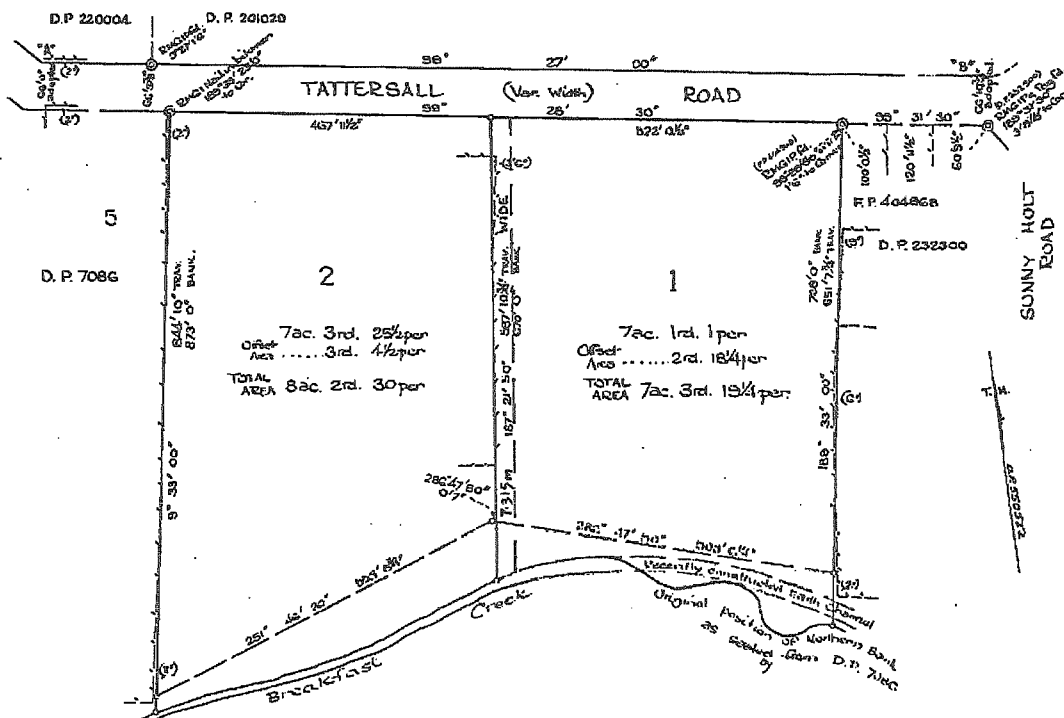
*Barnes*

**CANCELLED**  
*Jawatson*  
Registrar General.



**SEE AUTO FOLIO**

PLAN SHOWING LOCATION OF LAND



ESTATE AND LAND REFERRED TO

Estate in Fee Simple in Lot 2 in Deposited Plan 550522 at Marayong in the Municipality of Blacktown Parish of Prospect and County of Cumberland being part of Portion 134 granted to Frederick Garling on 31-8-1819.

FIRST SCHEDULE

DEXION (AUSTRALIA) PTY. LIMITED.

SECOND SCHEDULE

1. Reservations and conditions, if any, contained in the Crown Grant above referred to.
2. Caveat No. M29850 Entered 11-6-1974. Withdrawn N583834.

*Jawatson*  
Registrar General

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR GENERAL ARE CANCELLED.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

WARNING: THIS DOCUMENT MUST NOT BE REMOVED FROM THE LAND TITLES OFFICE.

## FIRST SCHEDULE (continued)

V. C. N. BLIGHT, GOVERNMENT PRINTER

REGISTERED PROPRIETOR

CANCELLED

SEE AUTO FOLIO

Signature of  
Registrar-General

## SECOND SCHEDULE (continued)

NATURE	INSTRUMENT NUMBER	DATE	PARTICULARS	ENTERED	Signature of Registrar-General	CANCELLATION		
<del>MORTGAGE</del>	<del>M52954</del>	<del>26-11-1971</del>	<del>to Australia and New Zealand Banking Group Limited with consent of holders</del>					
EW Transfer	M899111P	24-7-1972	Easement to Drain Water appurtenant to the land within described affecting the piece of land shown as "7.315 m. wide" within Plot 1 in the plan hereon, comprised in Certificate of Title Vol. 11667 Fol 173	6-4-1972	<i>Janet</i>	Discharged	N603906	<i>Janet</i>
<del>Mortgage</del>	<del>N603907</del>	<del>27-11-1973</del>	<del>to The Commercial Bank of Australia Limited.</del>	<del>18-10-1972</del>	<del><i>Janet</i></del>			
<del>Mortgage</del>	<del>P417353</del>	<del>22-9-1975</del>	<del>to The Commercial Banking Company of Sydney Limited.</del>	<del>13-12-1973</del>	<del><i>Janet</i></del>	Discharged	P417352	<i>Janet</i>
V409992	Transfer Easement	to drain water	affecting the land shown as proposed easement to drain water			Discharged	V85274	<i>Janet</i>
	variable width in	D.P.635965.	Registered 17-12-1984.		<i>Janet</i>			

NOTE: ENTRIES RULED THROUGH AND AUTHENTICATED BY THE SEAL OF THE REGISTRAR-GENERAL ARE CANCELLED

M52954

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N5838344/2

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Annex D

Blacktown City Council S149  
(2) and (5) Planning  
Certificates

**Applicant** NATHAN HEGERTY - ERM  
PO BOX 5711  
PORT MACQUARIE NSW 2444

**Property** LOT 2 DP 550522  
23 TATTERSALL ROAD,

**Suburb** KINGS PARK Parish of Prospect

**NOTE:** The land the subject of this Certificate is known to be located in the suburb of Kings Park.  
For all correspondence and property transactions this suburb name is to be used.

**PART A**  
**PRESCRIBED INFORMATION PROVIDED PURSUANT TO**  
**SECTION 149(2) OF THE ENVIRONMENTAL PLANNING**  
**AND ASSESSMENT ACT 1979 (EP&A Act 1979)**

**NOTE:** The following information is provided pursuant to Section 149(2) of the EP&A Act 1979, as prescribed by Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*, and is applicable as of the date of this certificate.

**1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS**

**1.1 Environmental Planning Instruments**

The abovementioned land is affected by the following environmental planning instrument and proposed environmental planning instrument/s (where applicable) which have been the subject of community consultation or on public exhibition under the Act.

Blacktown Local Environmental Plan 1988 (Refer to Attachment A)

Blacktown Local Environmental Plan 1988 specifies the purposes for which development may be carried out or are prohibited.

Draft Blacktown Local Environmental Plan 2013 (Refer to Attachment B)

Blacktown City Council has a draft City-wide Local Environmental Plan, known as Draft Blacktown Local Environmental Plan (BLEP) 2013, which will eventually replace the existing BLEP 1988. Draft BLEP 2013 has been prepared in accordance with the NSW State Government's Standard Instrument (Local Environmental Plans) Order 2006.

Draft BLEP 2013 specifies the purposes for which development may be carried out (either with or without the need for development consent) or which are prohibited in the zone proposed to apply to the land.

Under the exhibited version of Draft BLEP 2013 it was proposed to zone the land:

#### **B7 - BUSINESS PARK**

At its Extraordinary Meeting of 9 December 2013, Council resolved to adopt Draft BLEP 2013 subject to amendments, and to forward the amended plan to the NSW Government to be made law. Under the adopted version of Draft BLEP 2013, it is proposed to zone the land:

#### **B7 - BUSINESS PARK**

At its Ordinary Meeting of 12 March 2014, Council resolved to amend its Draft BLEP 2013 (adopted on 9 December 2013) for some properties located in the Business Park Precinct of the Blacktown City Centre. Under the amended version of Draft BLEP 2013, it is now proposed to zone the subject land:

#### **IN1 - GENERAL INDUSTRIAL**

### **1.2 Development Control Plans**

The land is affected by Blacktown Development Control Plan (DCP) 2006.

This DCP provides general guidance for the development of land within the City of Blacktown.

### **1.3 Relevant State Environmental Planning Policies (SEPPs), including draft policies, or Regional Environmental Plans deemed to be SEPPs**

#### **State Environmental Planning Policy No. 1 - Development Standards**

The policy requires that variations to development standards must meet the objectives of local plans and controls. It makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.

#### **State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development**

This policy permits minor development and activities on land without a development application or through alternative assessment. This policy should be read in conjunction with Councils controls for Exempt and Complying Development.

**State Environmental Planning Policy No. 6 - Number of Storeys in a Building**

This policy sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

**State Environmental Planning Policy No. 19 - Bushland in Urban Areas**

This policy protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

**State Environmental Planning Policy No. 22 - Shops and Commercial Premises**

The policy permits within a business zone, a change of use from one kind of shop to another or one kind of commercial premises to another, even if the change of use is prohibited under an environmental planning instrument. Development consent must be obtained and the consent authority satisfied that the change of use will have no, or only minor, environmental effect.

**State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Land)**

This policy states the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.

### **State Environmental Planning Policy No. 33 - Hazardous and Offensive Development**

This policy provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of proposal. The consent authority must carefully consider the specifics of the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy. For example, any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The Policy does not change the role of Councils as consent authorities, land zoning, or the designated development provisions of the Environmental Planning and Assessment Act 1979.

### **State Environmental Planning Policy No. 55 - Remediation of Land**

This policy provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.

### **State Environmental Planning Policy No. 62 - Sustainable Aquaculture**

This policy encourages the sustainable expansion of the industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are potential environmental risks.

### **State Environmental Planning Policy No. 64 - Advertising and Signage**

This policy aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors.

### **State Environmental Planning Policy - Affordable Rental Housing 2009**

This policy establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.

### **State Environmental Planning Policy - Exempt and Complying Development Codes**

This policy streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

### **State Environmental Planning Policy - Major Development 2005**

The SEPP facilitates the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State. Schedule 3 of the SEPP identifies State significant sites and provides planning provisions for those sites. Note: This SEPP was formerly known as State Environmental Planning Policy (Major Projects) 2005.

### **State Environmental Planning Policy - Basix**

This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004.

### **State Environmental Planning Policy - Infrastructure 2007**

This policy provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

### **State Environmental Planning Policy - Mining, Petroleum Production and Extractive Industries 2007**

This policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The policy establishes appropriate planning controls to encourage ecologically sustainable development.

### **State Environmental Planning Policy - Temporary Structures 2007**

This policy provides for the erection of temporary structures and the use of places of public entertainment, while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of places of public entertainment and temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

### **Sydney Regional Environmental Plan No. 9 - Extractive Industry Sydney Region**

This plan aims to protect the viability of extractive resources in the Sydney Metropolitan Area by ensuring consideration is given to the impact of encroaching development.

## **2. ZONING AND LAND USE UNDER RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS**

- (a) Pursuant to Blacktown Local Environmental Plan (LEP) 1988 the land is zoned:

4(a) - INDUSTRIAL - GENERAL

- (b) Extracts from Blacktown Local Environmental Plan 1988 which specify the purposes for which development may be carried out within the zone/s applying to the land the subject of this Certificate are at Attachment A.

Should you require further information about the permissibility of development and related development standards it is recommended that you consult a full copy of Blacktown Local Environmental Plan 1988. It should be noted that the Environmental Planning & Assessment Act 1979, as amended, changes the way in which Blacktown Local Environmental Plan 1988 and other State Government issued environmental planning instruments should be interpreted. Pursuant to the amended Environmental Planning & Assessment Act 1979 Council's development consent is now required for all development regardless of its zoning/s, other than "exempt development" and "complying development", as defined in Blacktown Local Environmental Plan 1988.

- (c) Extracts from Blacktown Local Environmental Plan 1988 which specify the purpose for which development may not be carried out within the zone/s applying to the land the subject of this Certificate are at Attachment A.
- (d) An extract of the planning instrument at Attachment A provides details of the purposes for which development is prohibited within the zone applying to the land.

- (e) Blacktown Local Environmental Plan 1988 does not nominate minimum land dimensions for the erection of a dwelling-house. It is noted however that Blacktown Development Control Plan 2006 stipulates minimum areas for subdivision, integrated housing, dual occupancies and the like.
- (f) The land does not include or comprise a critical habitat. Critical habitat refers to habitat that is critical to the survival of endangered species, populations or ecological communities. Areas of critical habitat are declared under Part 3 of the Threatened Species Conservation Act 1995 and Part 7A of the Fisheries Management Act 1994.
- (g) The land is not within a conservation area.
- (h) This land does not contain an item of environmental heritage under the protection of Blacktown Local Environmental Plan 1988.

### 3. COMPLYING DEVELOPMENT

Complying Development under the *General Housing Code* of the Codes SEPP may be carried out on the land, unless it is on part of the lot that is identified as within a flood storage area, a floodway area, a flow path, a high hazard area, or a high risk area.

Complying Development under the *Rural Housing Code* of the Codes SEPP may be carried out on the land, unless it is on part of the lot that is identified as within a flood storage area, a floodway area, a flow path, a high hazard area, or a high risk area.

Complying Development under the *Housing Alterations Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *General Development Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Commercial and Industrial Alterations Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Commercial and Industrial (New Buildings and Additions) Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Subdivisions Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Demolition Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Fire Safety Code* of the Codes SEPP may be carried out on the land.

**Note:** Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 then complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.

**Disclaimer:** This information only addresses matters raised in Clauses 1.17A and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with the general requirements of the State Environmental Planning Policy (Exempt and Complying Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of State Environmental Planning Policy (Exempt and Complying Codes) 2008 is invalid.

#### **4. COASTAL PROTECTION**

The land is not affected by the operation of Sections 38 or 39 of the *Coastal Protection Act, 1979*.

#### **5. MINE SUBSIDENCE**

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act, 1961*.

#### **6. ROAD WIDENING AND ROAD REALIGNMENT**

Blacktown Local Environmental Plan 1988 and Blacktown Development Control Plan 2006 nominate preferred road patterns throughout the City.

The land is not affected by road widening/road realignment under Division 2 of Part 3 of the Roads Act 1993 and/or environmental planning instrument.

#### **7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS**

Council has not adopted any policies to restrict the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence or the occurrence of acid sulphate soils. Although the Council has not adopted a specific policy to restrict development on bush fire prone land, it is bound by statewide bush fire legislation that may restrict development. In this regard, refer to point 11 below.

Council has adopted a policy on contaminated land which may restrict the development of this land. The land contamination policy applies when zoning or land use changes are proposed on land which has previously been used for certain purposes or has the potential to be affected by such purposes undertaken on nearby lands. Council's records may not be sufficient to determine all previous uses on the land, or determine activities that may have taken place on this land. Consideration of Council's policy and the application of provisions under the relevant State legislation and guidelines is necessary.

#### **7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION**

In respect of mainstream or backwater flood-related development controls, Council has adopted a Floodplain Management Policy which may restrict the development of the land subject to this Certificate, including development for the purposes of dwelling houses, dual occupancies, multi-dwelling housing, residential flat buildings and any other purpose that requires the placement or erection of any structure on the land. The Flood Risk Precinct Maps prepared under the policy are based on the results of Engineering Flood Studies commissioned by Government Authorities and Council. These maps indicate that the land subject to this Certificate lies partly within the Medium Flood Risk Precinct and partly within the High Flood Risk Precinct. The term Medium Flood Risk Precinct is defined as land below the 100-year flood level that is not within a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties. The term High Flood Risk Precinct is defined as the area of land below the 100-year flood event that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties. Further details are provided in the NSW Government's Floodplain Development Manual and are available from Council. Council does not warrant that the information provided or made available to you is complete. Council strongly recommends that, in all cases, you seek independent professional advice to supplement your enquiries.

## **8. LAND RESERVED FOR ACQUISITION**

Clauses 17, 17A and 18 of Blacktown Local Environmental Plan 1988 provide for the acquisition of certain land zoned 5(a), 5(b), 5(c), 6(a) or 6(c) by a public authority.

Draft Blacktown Local Environmental Plan 2013 makes provision for land included on the Land Reservation Acquisition Map to be acquired by a public authority.

## **9. CONTRIBUTIONS PLANS**

Council currently levies contributions under Section 94 of the EP&A Act 1979 for facilities and services. The further development of the subject land may incur such contribution.

## **9A. BIODIVERSITY CERTIFIED LAND**

The land has not been granted biodiversity certification within the meaning of the Threatened Species Conservation Act 1995.

## **10. BIOBANKING AGREEMENTS**

Council has not been notified of the existence of a biodiversity agreement under the Threatened Species Conservation Act 1995.

## **11. BUSH FIRE PRONE LAND**

The *Rural Fires and Environmental Assessment Legislation Amendment Act 2002*, which came into force on 1 August 2002, introduced development provisions for bush fire prone land as shown on a Bush Fire Prone Land Map. "Bush fire prone land" is land that has been designated by the Commissioner of the NSW Rural Fire Service as being bush fire prone due to characteristics of vegetation and topography. The land the subject of this certificate has been identified on Council's Bush Fire Prone Land Map as being:

**clear of any bush fire prone land**

On land that is bush fire prone, certain development may require further consideration under Section 79BA or Section 91 of the EP&A Act 1979 and under Section 100B of the *Rural Fires Act 1997*.

## **12. PROPERTY VEGETATION PLANS**

Land to which this Certificate applies is not subject to a Property Vegetation Plan under the provisions of the *Native Vegetation Act 2003*.

## **13. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006**

Land to which this Certificate applies is not the subject of an order made under the *Trees (Disputes Between Neighbours) Act 2006*.

## **14. DIRECTIONS UNDER PART 3A**

Land to which this Certificate applies is not subject to the above.

## **15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING**

Land to which this Certificate applies is not subject to the above.

## **16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE**

Land to which this Certificate applies is not subject to the above.

## **17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING**

Land to which this Certificate applies is not subject to the above.

## **18. MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997 AND CONTAMINATED LAND MANAGEMENT AMENDMENT ACT 2008**

- (a) The land to which this certificate relates has not been declared to be significantly contaminated land at the date when the certificate was issued.
- (b) The land to which the certificate relates is not subject to a management order at the date when the certificate was issued.
- (c) The land to which this certificate relates is not the subject of an approved voluntary management proposal at the date when the certificate was issued.
- (d) The land to which this certificate relates is not subject to an ongoing maintenance order as at the date when the certificate was issued.
- (e) The land to which this certificate relates is not the subject of a site audit statement provided to the Council.

**PART B**  
**ADDITIONAL INFORMATION PROVIDED PURSUANT TO**  
**SECTION 149(5) OF THE *ENVIRONMENTAL PLANNING***  
***AND ASSESSMENT ACT 1979 (EP&A Act 1979)***

NOTE: When information pursuant to section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section. Council draws your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

This advice is provided in accordance with Section 149(5) and 149(6) of the EP&A Act 1979:

The land is affected by a tree preservation control under Blacktown Local Environmental Plan 1988. A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, injured or wilfully destroyed, except with the consent of the Council.

The provisions of any covenant, agreement or instrument applying to this land purporting to restrict or prohibit certain development may be inconsistent with the provisions of a Regional Environmental Plan, State Environmental Planning Policy or Blacktown Local Environmental Plan 1988, in which case the provisions of any such covenant, agreement or instrument may be overridden.

The *Threatened Species Conservation Act 1995* provides for the conservation of threatened species, populations and ecological communities of animals and plants. The *Threatened Species Conservation Act* amended the *Environmental Planning and Assessment Act 1979* to require, amongst other things, that:-

- (a) a critical habitat (as defined in the *Threatened Species Conservation Act 1995*) be identified in environmental planning instruments;
- (b) consent authorities and determining authorities must, when considering proposed development or an activity, assess whether it is likely to significantly affect threatened species, populations and ecological communities, or their habitats, and, if a significant effect is likely, to require the preparation of a species impact statement in accordance with the requirements of the *Threatened Species Conservation Act 1995*;
- (c) consent authorities and determining authorities must, when considering proposed development or an activity, have regard to the relevant recovery plans and threat abatement plans; and
- (d) a regime for concurrence and consultation between consent authorities and determining authorities and the Minister administering the *Threatened Species Conservation Act 1995* or the Director-General of the National Parks and Wildlife be instructed to aid the assessment process under the *Environmental Planning & Assessment Act 1979*.

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides protection for items of national significance. The Act requires a separate Commonwealth approval to be obtained where an action is likely to have significant impacts on items of national environmental significance. Items of national environmental significance include, amongst other things, nationally threatened animal and plant species and ecological communities. The Commonwealth Department of the Environment and Water Resources should be contacted for further advice.

General Manager

Per: \_\_\_\_\_

End of Certificate

# PLANNING CERTIFICATE UNDER SECTION 149

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Certificate No.:

Date:

Page:

Enquiries:

Applicants Ref.:

Our ref: BLEP 2013

File no: RZ-06-1982

17 June 2014

NATHAN HEGERTY - ERM  
PO BOX 5711  
PORT MACQUARIE NSW 2444

Dear Sir/Madam

**Please find attached the 149(5) Planning Certificate you requested for Lot 2 DP 550522.**

As mentioned in Clause 1.1 of the attached Certificate, Blacktown City Council has prepared a draft City-wide Local Environmental Plan, known as Draft Blacktown Local Environmental Plan (BLEP) 2013. Draft BLEP 2013 specifies proposed land use zones that apply across the City of Blacktown and the purposes for which development may be carried out (either with or without the need for development consent) or which are prohibited in the zone. Once Draft BLEP 2013 comes into force later in 2014 it will replace the existing BLEP 1988.

In January 2013 Council wrote to all landowners across the City to advise that Draft BLEP 2013 was on public exhibition for a period of 3 months. The purpose of the exhibition was to give the Blacktown community the opportunity to review and comment on the draft Plan before it comes into force.

After the close of the exhibition period Council Officers conducted a comprehensive assessment of over 600 formal written submissions received during the exhibition period. The issues raised in submissions were summarised and addressed in Council Report SD330109, and the report was presented to Council at an Extraordinary Meeting on Monday 9 December 2013. At this meeting Council adopted Draft BLEP 2013 subject to certain amendments arising from submissions, and resolved to forward the amended Plan to the Minister for Planning and Infrastructure to be finalised.

I wish to advise that the proposed zoning of the subject land has changed in response to submissions received during the exhibition period, and at its Ordinary Meeting of 12 March 2014, Council resolved to change the zoning of some properties located in the Business Park Precinct of the Blacktown City Centre. The following table identifies the exhibited zone and the adopted zone. The adopted zone will come into effect once the new LEP has been approved by the Minister for Planning and Infrastructure and published in the NSW Government Gazette. This is expected to occur in mid-2014.

Exhibited Zone	Adopted Zone
B7 - Business Park	IN1 - General Industrial

Should you require any further information regarding this matter, please contact Councils Team Leader Planning Policy on 9839 6216.

Yours faithfully,



Catherine Harris  
**Clerical Unit Co-ordinator**

**Council Chambers** • 62 Flushcombe Road • Blacktown NSW 2148  
**Telephone: (02) 9839 6000** • Facsimile: (02) 9831 1961 • DX 8117 Blacktown  
<http://www.blacktown.nsw.gov.au> • email: [council@blacktown.nsw.gov.au](mailto:council@blacktown.nsw.gov.au)  
**All correspondence to:** The General Manager • PO Box 63 • Blacktown NSW 2148

Civil Lepadopt

## **Zone IN1 General Industrial**

### **1 Objectives of zone**

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To minimise adverse impacts on the natural environment.

### **2 Permitted without consent**

Nil.

### **3 Permitted with consent**

Aquaculture; Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; General industries; Heliports; Industrial training facilities; Kiosks; Light industries; Neighbourhood shops; Roads; Warehouse or distribution centres; Vehicle sales or hire premises; Any development not specified in Item 2 or 4.

### **4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Business Premises; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Ecotourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health service facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Marinas; Open cut mining; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Restricted premises; Signage; Tourist and visitor accommodation; Veterinary hospitals; Wharf or boating facilities; Wholesale supplies.

**ATTACHMENT A**

**EXTRACT FROM BLACKTOWN LOCAL ENVIRONMENTAL PLAN 1988**

**ZONE No. 4 (a) (GENERAL INDUSTRIAL ZONE)**

**1. Objectives of zone**

The objectives are -

- (a) to provide areas for accommodating both traditional and modern forms of industrial warehousing and like development outside areas used or zoned for residential or business purposes and so encourage economic and employment growth in Blacktown.
- (b) to encourage the establishment of new industry and other compatible, large-scale activity in appropriate locations;
- (c) to accommodate large industrial, warehousing and like developments such as auction rooms, plant and equipment hire establishments, timber yards and the like, but to prohibit offensive or hazardous industries;
- (d) to enable development for the purposes of retailing only where it is associated with, and ancillary to, manufacturing purposes on the same land or where it serves the daily convenience needs of the local workforce;
- (e) to enable development for the purposes of commercial offices only where it is associated with, and ancillary to, industrial, warehousing or like purposes on the same land or where it serves the daily convenience needs of the local workforce.
- (f) to ensure permitted development creates areas which are pleasant to work in and are safe and efficient in terms of transportation and land utilisation;
- (g) to enhance and improve the physical environment of the City of Blacktown by minimising disturbances caused by air pollutants, water pollutants, other pollutants and noise pollution; and
- (h) to enable development for the purposes of community facilities such as child care facilities either in association with or independent of other permitted development to serve the needs of the workforce of the area.

**2. Development that does not require consent**

Nil.

**3. Development which requires consent**

Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone.

**4. Prohibited**

Amusement centres; boarding houses; bulky goods retail establishments; caravan parks; commercial premises (other than those ancillary to and used in conjunction with a purpose permissible in this zone or which serve the daily convenience needs of the workforce of the industrial area); dual occupancy or dwelling-houses (other than those ancillary to and used in conjunction with a purpose permissible in the zone); exhibition homes; exhibition villages; group homes; hardware stores; hazardous industries; hazardous storage establishments; home activities; hospitals; housing for aged or disabled persons; institutions; integrated housing; intensive lot feeding of livestock; manufactured home estates; medium density housing; methadone dispensaries; mineral sand mines; mines; mixed businesses; motels; offensive industries; offensive storage establishments; professional consulting rooms; professional offices; recreation establishments; residential flat buildings; roadside stalls; rural industries; rural workers' dwellings; shops (other than those ancillary to and used in conjunction with manufacturing purposes permissible in this zone or which serve the daily convenience needs of the workforce of the industrial area); tourist facilities.

## **PART 3 - SPECIAL PROVISIONS**

### **DIVISION 1 - Subdivision of Land**

#### **Subdivision generally**

10. (1) A person shall not subdivide land to which this plan applies without the consent of the council.
- (2) Land shall not be subdivided unless the boundaries of allotments so created correspond generally with the boundaries, if any, between zones as shown on the map.
- (3) Notwithstanding the provisions of subclause (2), the council may consent to a plan of subdivision whereby the boundaries of allotments so created will not correspond with the boundaries between different zones as shown on the map but which, in the opinion of the council, depart from those boundaries only to a minor extent.
- (4) Where, upon a registration of a plan of subdivision referred to in subclause (3), the boundary between land is determined in a different position from the boundary between different zones indicated on the map, land shall be deemed to be within the appropriate zone as determined by the council.
- (5) The council shall not grant consent to the subdivision of any part of the land to which this plan applies unless the plan of subdivision makes provision for any proposed road on that part of the land shown by parallel broken lines on the map to be opened generally in the locations shown on the map.

## **Drainage**

19. (1) Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies unless the land is filled to a level satisfactory to the council.
- (2) Where, in relation to the carrying out of development on land to which this plan applies, the council makes any requirements with respect to the drainage of land or the drainage of other land, a person shall not carry out that development except in accordance with those requirements.

## Services

24. (1) The council may refuse consent to the carrying out of any development on any land within Zone No. 2 (a), 2 (b) or 2 (c) unless arrangements satisfactory to it are made (whether by the imposition of conditions under section 91 of the Act or otherwise) for the underground provision of an electrical system to that land and for the installation of such lamp standards as are approved by the council in relation to reticulation.
- (2) The council may refuse consent to the carrying out of any development on any land within Zone No. 2 (a), 2 (b) or 2 (c) unless arrangements satisfactory to Telecom Australia are made by the owner of the land to which the development consent relates for the provision of underground telephone plant to that land.
- (3) A person shall not carry out development on any land to which this plan applies unless arrangements satisfactory to the Water Board have been made with the Board for the provision of water services to the land.
- (4) A person shall not carry out development on any land to which this plan applies unless arrangements satisfactory to -
- (a) in the case of land within Zone No. 1 (a) or 1 (b), the council; or
  - (b) in the case of all other land, the Water Board,
- have been made for the provision of sewerage services to that land.
- (5) A person shall not carry out development on land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 10)" unless arrangements satisfactory to:
- (a) the Water Board and the Council; or
  - (b) in the case of land within the Toongabbie Creek catchment as shown on the map marked "Drainage Catchments - Parklea Release Area", the Council,
- have been made in relation to the drainage of that land.
- (6) A person shall not carry out development on land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 10)" unless arrangements satisfactory to the Roads and Traffic Authority have been made by the developer with that Authority to make appropriate payment towards the cost of the arterial road network.

### Tree preservation

25. (1) A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed; except with the consent of the council.
- (2) In any proceedings for an offence arising under this clause, it shall be sufficient defence to prove that the tree ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed was dying or dead or had become dangerous.
- (3) This clause does not apply to trees in a State forest or on land reserved as a timber reserve within the meaning of the Forestry Act 1916, or to trees required to be lopped in accordance with Regulation 38 or 39 of the Overhead Line Construction and Maintenance Regulations 1962, or to any trees which are under the control or management of the Water Board.
- (4) This clause does not operate so as to require a consent to be given pursuant to this clause for the carrying out of development at a plant nursery if the development could lawfully be carried out at the plant nursery in the absence of this clause.

### Covenants, agreements etc.

26. (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, the operation of any covenant, agreement or instrument imposing restrictions on development, to the extent necessary to serve that purpose, shall not apply to the development.
- (2) Nothing in the subclause (1) shall affect the rights or interests of the council under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this plan, the Governor approved of subclauses (1) and (2).

## **Nuclear activities**

30. Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies for the purposes of -
- (a) mining prohibited by the Uranium Mining and Nuclear Facilities (Prohibition) Act 1986;
  - (b) a nuclear facility, the construction or operation of which is prohibited under that Act; or
  - (c) a facility for the storage or disposal of radioactive waste material referred to in section 8(3)(b) of that Act, except pursuant to a licence under the Radioactive Substances Act 1957.

## Advertisements

37. (1) The objectives of this clause are:

- (a) to provide for a variety of outdoor advertisements which are compatible with the purpose for which the land is zoned and with the character of the area;
- (b) to produce signage which is complementary in scale, form and location with the surrounding natural or built environment; and
- (c) to ensure that outdoor advertising does not detract from the safety, efficiency or appearance of any public thoroughfare.

(2) When assessing applications made under this plan for the approval of advertisements:

- (a) the council must consider both the objectives of this clause and the relevant zone objectives;
- (b) the council must only grant consent if the applicant can demonstrate that:
  - (i) the advertisement will not detract from the amenity of the local environment because of its appearance, size, design, illumination or location, or as a result of the number and location of advertisements within the vicinity;
  - (ii) the size and likely impact of the advertisement is compatible with the size and design of the premises on which the advertisement is to be constructed and with the size and design of the surrounding buildings;
  - (iii) the advertisement will not detract from any items of scenic, historic, architectural, scientific or cultural interest;
  - (iv) appropriate setbacks, clearances and structural features are incorporated into the proposal to ensure safe pedestrian and vehicular traffic circulation; and
  - (v) the advertisement is not a flashing or moving sign.

## Brothels

- 42A (1) Despite any other provision of this plan, development for the purpose of a brothel must not be carried out if the relevant premises are:
- (a) within a straight line distance of 300 metres of land zoned for residential, commercial or public open space purposes; or
  - (b) adjacent to any property used or partly used for residential purposes; or
  - (c) near or within view from any school, church, hospital, child care centre, community facility or public open space or any place regularly frequented by children; or
  - (d) within 100 metres from a road zoned Special Uses - Arterial Road and Arterial Road Widening or Special Uses - Local Road and Local Road Widening.
- (2) In determining an application to carry out development for the purpose of a brothel, the council must consider the following:
- (a) the potential cumulative impact of like uses in a neighbourhood;
  - (b) whether the operation of the brothel is likely to cause disturbance in the neighbourhood when taking into account other brothels operating in the neighbourhood or other land uses within the neighbourhood involving similar hours of operation;
  - (c) whether or not the brothel is in keeping with or is likely to substantially alter the character of its locality; and
  - (d) whether the brothel is likely to put at risk members of the community or its clientele or service providers.

### Service centres

47. (1) The council shall not grant consent to the carrying out of development for the purpose of a service centre in any zone unless it is satisfied that:
- (a) there is a separation distance of at least 2 kilometres between the proposed service centre and any established service centre or service station, or proposed service centre or service station that has received development consent, except where any such established or proposed service centre or service station is located on the opposite side of the road within Zones Nos. 5(b) or 5(c) adjoining the proposed service centre; and
  - (b) the proposal would not result in unacceptable traffic delays or have a great impact on the operation of intersections in the vicinity, and provides safe access to and from the site, based on a comprehensive traffic study prepared by a suitably qualified person.
- (2) In determining an application to carry out development for the purpose of a service centre, the council must consider the following:
- (a) the potential cumulative impact of the proposed service centre on like uses such as service stations in the locality;
  - (b) whether the operation of and access to and from the service centre is likely to cause disturbance to residents or impinge on existing lawful uses in the vicinity; and
  - (c) whether or not the service centre is likely to substantially alter the character of its locality.
- (3) Notwithstanding the provisions of subclauses (1) and (2), where the council is of the opinion that the local community is not likely to be provided with adequate convenience retail facilities in the foreseeable future, the council may grant consent to a service centre which is at variance with the criteria set out in subclauses (1) and (2).

**Applicant** NATHAN HEGERTY - ERM  
PO BOX 5711  
PORT MACQUARIE NSW 2444

**Property** LOT 5 DP 7086  
45 TATTERSALL ROAD,

**Suburb** KINGS PARK

Parish of Prospect

**NOTE:** The land the subject of this Certificate is known to be located in the suburb of Kings Park.  
For all correspondence and property transactions this suburb name is to be used.

**PART A**  
**PRESCRIBED INFORMATION PROVIDED PURSUANT TO**  
**SECTION 149(2) OF THE ENVIRONMENTAL PLANNING**  
**AND ASSESSMENT ACT 1979 (EP&A Act 1979)**

**NOTE:** The following information is provided pursuant to Section 149(2) of the EP&A Act 1979, as prescribed by Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*, and is applicable as of the date of this certificate.

**1. NAMES OF RELEVANT PLANNING INSTRUMENTS AND DEVELOPMENT CONTROL PLANS**

**1.1 Environmental Planning Instruments**

The abovementioned land is affected by the following environmental planning instrument and proposed environmental planning instrument/s (where applicable) which have been the subject of community consultation or on public exhibition under the Act.

Blacktown Local Environmental Plan 1988

(Refer to Attachment A)

Blacktown Local Environmental Plan 1988 specifies the purposes for which development may be carried out or are prohibited.

Draft Blacktown Local Environmental Plan 2013

(Refer to Attachment B)

Blacktown City Council has a draft City-wide Local Environmental Plan, known as Draft Blacktown Local Environmental Plan (BLEP) 2013, which will eventually replace the existing BLEP 1988. Draft BLEP 2013 has been prepared in accordance with the NSW State Government's Standard Instrument (Local Environmental Plans) Order 2006.

Draft BLEP 2013 specifies the purposes for which development may be carried out (either with or without the need for development consent) or which are prohibited in the zone proposed to apply to the land.

Under the exhibited version of Draft BLEP 2013 it was proposed to zone the land:

#### **B7 - BUSINESS PARK**

At its Extraordinary Meeting of 9 December 2013, Council resolved to adopt Draft BLEP 2013 subject to amendments, and to forward the amended plan to the NSW Government to be made law. Under the adopted version of Draft BLEP 2013, it is proposed to zone the land:

#### **B7 - BUSINESS PARK**

At its Ordinary Meeting of 12 March 2014, Council resolved to amend its Draft BLEP 2013 (adopted on 9 December 2013) for some properties located in the Business Park Precinct of the Blacktown City Centre. Under the amended version of Draft BLEP 2013, it is now proposed to zone the subject land:

#### **IN1 - GENERAL INDUSTRIAL**

### **1.2 Development Control Plans**

The land is affected by Blacktown Development Control Plan (DCP) 2006.

This DCP provides general guidance for the development of land within the City of Blacktown.

### **1.3 Relevant State Environmental Planning Policies (SEPPs), including draft policies, or Regional Environmental Plans deemed to be SEPPs**

#### **State Environmental Planning Policy No. 1 - Development Standards**

The policy requires that variations to development standards must meet the objectives of local plans and controls. It makes development standards more flexible. It allows councils to approve a development proposal that does not comply with a set standard where this can be shown to be unreasonable or unnecessary.

#### **State Environmental Planning Policy No. 4 - Development Without Consent and Miscellaneous Complying Development**

This policy permits minor development and activities on land without a development application or through alternative assessment. This policy should be read in conjunction with Councils controls for Exempt and Complying Development.

**State Environmental Planning Policy No. 6 - Number of Storeys in a Building**

This policy sets out a method for determining the number of storeys in a building, to prevent possible confusion arising from the interpretation of various environmental planning instruments.

**State Environmental Planning Policy No. 19 - Bushland in Urban Areas**

This policy protects and preserves bushland within certain urban areas, as part of the natural heritage or for recreational, educational and scientific purposes. The policy is designed to protect bushland in public open space zones and reservations, and to ensure that bush preservation is given a high priority when local environmental plans for urban development are prepared.

**State Environmental Planning Policy No. 22 - Shops and Commercial Premises**

The policy permits within a business zone, a change of use from one kind of shop to another or one kind of commercial premises to another, even if the change of use is prohibited under an environmental planning instrument. Development consent must be obtained and the consent authority satisfied that the change of use will have no, or only minor, environmental effect.

**State Environmental Planning Policy No. 32 - Urban Consolidation (Redevelopment of Land)**

This policy states the Government's intention to ensure that urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or used and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy. Councils will continue to be responsible for the majority of rezonings. The policy sets out guidelines for the Minister to follow when considering whether to initiate a regional environmental plan (REP) to make particular sites available for consolidated urban redevelopment. Where a site is rezoned by an REP, the Minister will be the consent authority.

### **State Environmental Planning Policy No. 33 - Hazardous and Offensive Development**

This policy provides new definitions for 'hazardous industry', 'hazardous storage establishment', 'offensive industry' and 'offensive storage establishment'. The definitions apply to all planning instruments, existing and future. The new definitions enable decisions to approve or refuse a development to be based on the merit of proposal. The consent authority must carefully consider the specifics of the case, the location and the way in which the proposed activity is to be carried out. The policy also requires specified matters to be considered for proposals that are 'potentially hazardous' or 'potentially offensive' as defined in the policy. For example, any application to carry out a potentially hazardous or potentially offensive development is to be advertised for public comment, and applications to carry out potentially hazardous development must be supported by a preliminary hazard analysis (PHA). The Policy does not change the role of Councils as consent authorities, land zoning, or the designated development provisions of the Environmental Planning and Assessment Act 1979.

### **State Environmental Planning Policy No. 55 - Remediation of Land**

This policy provides state-wide planning controls for the remediation of contaminated land. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed. The policy makes remediation permissible across the State, defines when consent is required, requires all remediation to comply with standards, ensures land is investigated if contamination is suspected, and requires councils to be notified of all remediation proposals.

### **State Environmental Planning Policy No. 62 - Sustainable Aquaculture**

This policy encourages the sustainable expansion of the industry in NSW. The policy implements the regional strategies already developed by creating a simple approach to identify and categorise aquaculture development on the basis of its potential environmental impact. The SEPP also identifies aquaculture development as a designated development only where there are potential environmental risks.

### **State Environmental Planning Policy No. 64 - Advertising and Signage**

This policy aims to ensure that outdoor advertising is compatible with the desired amenity and visual character of an area, provides effective communication in suitable locations and is of high quality design and finish. The SEPP was amended in August 2007 to permit and regulate outdoor advertising in transport corridors (e.g. freeways, tollways and rail corridors). The amended SEPP also aims to ensure that public benefits may be derived from advertising along and adjacent to transport corridors.

### **State Environmental Planning Policy - Affordable Rental Housing 2009**

This policy establishes a consistent planning regime for the provision of affordable rental housing. The policy provides incentives for new affordable rental housing, facilitates the retention of existing affordable rentals, and expands the role of not-for-profit providers. It also aims to support local centres by providing housing for workers close to places of work, and facilitate development of housing for the homeless and other disadvantaged people.

### **State Environmental Planning Policy - Exempt and Complying Development Codes**

This policy streamlines assessment processes for development that complies with specified development standards. The policy provides exempt and complying development codes that have State-wide application, identifying, in the General Exempt Development Code, types of development that are of minimal environmental impact that may be carried out without the need for development consent; and, in the General Housing Code, types of complying development that may be carried out in accordance with a complying development certificate as defined in the Environmental Planning and Assessment Act 1979.

### **State Environmental Planning Policy - Major Development 2005**

The SEPP facilitates the development, redevelopment or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State so as to facilitate the orderly use, development or conservation of those State significant sites for the benefit of the State. Schedule 3 of the SEPP identifies State significant sites and provides planning provisions for those sites. Note: This SEPP was formerly known as State Environmental Planning Policy (Major Projects) 2005.

### **State Environmental Planning Policy - Basix**

This SEPP operates in conjunction with Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004 to ensure the effective introduction of BASIX in NSW. The SEPP ensures consistency in the implementation of BASIX throughout the State by overriding competing provisions in other environmental planning instruments and development control plans, and specifying that SEPP 1 does not apply in relation to any development standard arising under BASIX. The draft SEPP was exhibited together with draft Environmental Planning and Assessment Amendment (Building Sustainability Index: BASIX) Regulation 2004.

### **State Environmental Planning Policy - Infrastructure 2007**

This policy provides a consistent planning regime for infrastructure and the provision of services across NSW, along with providing for consultation with relevant public authorities during the assessment process. The SEPP supports greater flexibility in the location of infrastructure and service facilities along with improved regulatory certainty and efficiency.

**State Environmental Planning Policy - Mining, Petroleum Production and Extractive Industries 2007**

This policy aims to provide for the proper management and development of mineral, petroleum and extractive material resources for the social and economic welfare of the State. The policy establishes appropriate planning controls to encourage ecologically sustainable development.

**State Environmental Planning Policy - Temporary Structures 2007**

This policy provides for the erection of temporary structures and the use of places of public entertainment, while protecting public safety and local amenity. The SEPP supports the transfer of the regulation of places of public entertainment and temporary structures (such as tents, marquees and booths) from the Local Government Act 1993 to the Environmental Planning and Assessment Act 1979.

**Sydney Regional Environmental Plan No. 9 - Extractive Industry Sydney Region**

This plan aims to protect the viability of extractive resources in the Sydney Metropolitan Area by ensuring consideration is given to the impact of encroaching development.

**2. ZONING AND LAND USE UNDER RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS**

- (a) Pursuant to Blacktown Local Environmental Plan (LEP) 1988 the land is zoned:

4(a) - INDUSTRIAL - GENERAL

- (b) Extracts from Blacktown Local Environmental Plan 1988 which specify the purposes for which development may be carried out within the zone/s applying to the land the subject of this Certificate are at Attachment A.

Should you require further information about the permissibility of development and related development standards it is recommended that you consult a full copy of Blacktown Local Environmental Plan 1988. It should be noted that the Environmental Planning & Assessment Act 1979, as amended, changes the way in which Blacktown Local Environmental Plan 1988 and other State Government issued environmental planning instruments should be interpreted. Pursuant to the amended Environmental Planning & Assessment Act 1979 Council's development consent is now required for all development regardless of its zoning/s, other than "exempt development" and "complying development", as defined in Blacktown Local Environmental Plan 1988.

- (c) Extracts from Blacktown Local Environmental Plan 1988 which specify the purpose for which development may not be carried out within the zone/s applying to the land the subject of this Certificate are at Attachment A.
- (d) An extract of the planning instrument at Attachment A provides details of the purposes for which development is prohibited within the zone applying to the land.

- (e) Blacktown Local Environmental Plan 1988 does not nominate minimum land dimensions for the erection of a dwelling-house. It is noted however that Blacktown Development Control Plan 2006 stipulates minimum areas for subdivision, integrated housing, dual occupancies and the like.
- (f) The land does not include or comprise a critical habitat. Critical habitat refers to habitat that is critical to the survival of endangered species, populations or ecological communities. Areas of critical habitat are declared under Part 3 of the Threatened Species Conservation Act 1995 and Part 7A of the Fisheries Management Act 1994.
- (g) The land is not within a conservation area.
- (h) This land does not contain an item of environmental heritage under the protection of Blacktown Local Environmental Plan 1988.

### 3. COMPLYING DEVELOPMENT

Complying Development under the *General Housing Code* of the Codes SEPP may be carried out on the land, unless it is on part of the lot that is identified as within a flood storage area, a floodway area, a flow path, a high hazard area, or a high risk area.

Complying Development under the *Rural Housing Code* of the Codes SEPP may be carried out on the land, unless it is on part of the lot that is identified as within a flood storage area, a floodway area, a flow path, a high hazard area, or a high risk area.

Complying Development under the *Housing Alterations Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *General Development Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Commercial and Industrial Alterations Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Commercial and Industrial (New Buildings and Additions) Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Subdivisions Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Demolition Code* of the Codes SEPP may be carried out on the land.

Complying Development under the *Fire Safety Code* of the Codes SEPP may be carried out on the land.

**Note:** Despite the above provisions, if only part of a lot is subject to an exclusion or exemption under Clause 1.17A or Clause 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 then complying development may be carried out on that part of the lot that is not affected by the exclusion or exemption.

**Disclaimer:** This information only addresses matters raised in Clauses 1.17A and 1.19 of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. It is your responsibility to ensure that you comply with the general requirements of the State Environmental Planning Policy (Exempt and Complying Codes) 2008. Failure to comply with these provisions may mean that a Complying Development Certificate issued under the provisions of State Environmental Planning Policy (Exempt and Complying Codes) 2008 is invalid.

#### **4. COASTAL PROTECTION**

The land is not affected by the operation of Sections 38 or 39 of the *Coastal Protection Act, 1979*.

#### **5. MINE SUBSIDENCE**

The land has not been proclaimed to be a mine subsidence district within the meaning of Section 15 of the *Mine Subsidence Compensation Act, 1961*.

#### **6. ROAD WIDENING AND ROAD REALIGNMENT**

Blacktown Local Environmental Plan 1988 and Blacktown Development Control Plan 2006 nominate preferred road patterns throughout the City.

The land is not affected by road widening/road realignment under Division 2 of Part 3 of the Roads Act 1993 and/or environmental planning instrument.

#### **7. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS**

Council has not adopted any policies to restrict the development of the land by reason of the likelihood of landslip, bushfire, tidal inundation, subsidence or the occurrence of acid sulphate soils. Although the Council has not adopted a specific policy to restrict development on bush fire prone land, it is bound by statewide bush fire legislation that may restrict development. In this regard, refer to point 11 below.

Council has adopted a policy on contaminated land which may restrict the development of this land. The land contamination policy applies when zoning or land use changes are proposed on land which has previously been used for certain purposes or has the potential to be affected by such purposes undertaken on nearby lands. Council's records may not be sufficient to determine all previous uses on the land, or determine activities that may have taken place on this land. Consideration of Council's policy and the application of provisions under the relevant State legislation and guidelines is necessary.

#### **7A. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION**

In respect of mainstream or backwater flood-related development controls, Council has adopted a Floodplain Management Policy which may restrict the development of the land subject to this Certificate, including development for the purposes of dwelling houses, dual occupancies, multi-dwelling housing, residential flat buildings and any other purpose that requires the placement or erection of any structure on the land. The Flood Risk Precinct Maps prepared under the policy are based on the results of Engineering Flood Studies commissioned by Government Authorities and Council. These maps indicate that the land subject to this Certificate lies partly within the Medium Flood Risk Precinct and partly within the High Flood Risk Precinct. The term Medium Flood Risk Precinct is defined as land below the 100-year flood level that is not within a High Flood Risk Precinct. This is land that is not subject to a high hydraulic hazard or where there are no significant evacuation difficulties. The term High Flood Risk Precinct is defined as the area of land below the 100-year flood event that is either subject to a high hydraulic hazard or where there are significant evacuation difficulties. Further details are provided in the NSW Government's Floodplain Development Manual and are available from Council. Council does not warrant that the information provided or made available to you is complete. Council strongly recommends that, in all cases, you seek independent professional advice to supplement your enquiries.

## **8. LAND RESERVED FOR ACQUISITION**

Clauses 17, 17A and 18 of Blacktown Local Environmental Plan 1988 provide for the acquisition of certain land zoned 5(a), 5(b), 5(c), 6(a) or 6(c) by a public authority.

Draft Blacktown Local Environmental Plan 2013 makes provision for land included on the Land Reservation Acquisition Map to be acquired by a public authority.

## **9. CONTRIBUTIONS PLANS**

Council currently levies contributions under Section 94 of the EP&A Act 1979 for facilities and services. The further development of the subject land may incur such contribution.

## **9A. BIODIVERSITY CERTIFIED LAND**

The land has not been granted biodiversity certification within the meaning of the Threatened Species Conservation Act 1995.

## **10. BIOBANKING AGREEMENTS**

Council has not been notified of the existence of a biodiversity agreement under the Threatened Species Conservation Act 1995.

## **11. BUSH FIRE PRONE LAND**

The *Rural Fires and Environmental Assessment Legislation Amendment Act 2002*, which came into force on 1 August 2002, introduced development provisions for bush fire prone land as shown on a Bush Fire Prone Land Map. "Bush fire prone land" is land that has been designated by the Commissioner of the NSW Rural Fire Service as being bush fire prone due to characteristics of vegetation and topography. The land the subject of this certificate has been identified on Council's Bush Fire Prone Land Map as being:

**clear of any bush fire prone land**

On land that is bush fire prone, certain development may require further consideration under Section 79BA or Section 91 of the EP&A Act 1979 and under Section 100B of the *Rural Fires Act 1997*.

**12. PROPERTY VEGETATION PLANS**

Land to which this Certificate applies is not subject to a Property Vegetation Plan under the provisions of the *Native Vegetation Act 2003*.

**13. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006**

Land to which this Certificate applies is not the subject of an order made under the *Trees (Disputes Between Neighbours) Act 2006*.

**14. DIRECTIONS UNDER PART 3A**

Land to which this Certificate applies is not subject to the above.

**15. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS HOUSING**

Land to which this Certificate applies is not subject to the above.

**16. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE**

Land to which this Certificate applies is not subject to the above.

**17. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE RENTAL HOUSING**

Land to which this Certificate applies is not subject to the above.

**18. MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997 AND CONTAMINATED LAND MANAGEMENT AMENDMENT ACT 2008**

- (a) The land to which this certificate relates has not been declared to be significantly contaminated land at the date when the certificate was issued.
- (b) The land to which the certificate relates is not subject to a management order at the date when the certificate was issued.
- (c) The land to which this certificate relates is not the subject of an approved voluntary management proposal at the date when the certificate was issued.
- (d) The land to which this certificate relates is not subject to an ongoing maintenance order as at the date when the certificate was issued.
- (e) The land to which this certificate relates is not the subject of a site audit statement provided to the Council.

**PART B**  
**ADDITIONAL INFORMATION PROVIDED PURSUANT TO**  
**SECTION 149(5) OF THE *ENVIRONMENTAL PLANNING***  
***AND ASSESSMENT ACT 1979 (EP&A Act 1979)***

**NOTE:** When information pursuant to section 149(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section. Council draws your attention to section 149(6) which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this Certificate.

This advice is provided in accordance with Section 149(5) and 149(6) of the EP&A Act 1979:

The land is affected by a tree preservation control under Blacktown Local Environmental Plan 1988. A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, injured or wilfully destroyed, except with the consent of the Council.

The provisions of any covenant, agreement or instrument applying to this land purporting to restrict or prohibit certain development may be inconsistent with the provisions of a Regional Environmental Plan, State Environmental Planning Policy or Blacktown Local Environmental Plan 1988, in which case the provisions of any such covenant, agreement or instrument may be overridden.

The *Threatened Species Conservation Act 1995* provides for the conservation of threatened species, populations and ecological communities of animals and plants. The *Threatened Species Conservation Act* amended the *Environmental Planning and Assessment Act 1979* to require, amongst other things, that:-

- (a) a critical habitat (as defined in the *Threatened Species Conservation Act 1995*) be identified in environmental planning instruments;
- (b) consent authorities and determining authorities must, when considering proposed development or an activity, assess whether it is likely to significantly affect threatened species, populations and ecological communities, or their habitats, and, if a significant effect is likely, to require the preparation of a species impact statement in accordance with the requirements of the *Threatened Species Conservation Act 1995*;
- (c) consent authorities and determining authorities must, when considering proposed development or an activity, have regard to the relevant recovery plans and threat abatement plans; and
- (d) a regime for concurrence and consultation between consent authorities and determining authorities and the Minister administering the *Threatened Species Conservation Act 1995* or the Director-General of the National Parks and Wildlife be instructed to aid the assessment process under the *Environmental Planning & Assessment Act 1979*.

The *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* provides protection for items of national significance. The Act requires a separate Commonwealth approval to be obtained where an action is likely to have significant impacts on items of national environmental significance. Items of national environmental significance include, amongst other things, nationally threatened animal and plant species and ecological communities. The Commonwealth Department of the Environment and Water Resources should be contacted for further advice.

  
General Manager

Per: \_\_\_\_\_

End of Certificate

# PLANNING CERTIFICATE UNDER SECTION 149

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

Certificate No.:

Date:

Page:

Enquiries:

Applicants Ref.:

Our ref: BLEP 2013

File no: RZ-06-1982

17 June 2014

NATHAN HEGERTY - ERM  
PO BOX 5711  
PORT MACQUARIE NSW 2444

Dear Sir/Madam

**Please find attached the 149(5) Planning Certificate you requested for Lot 5 DP 7086.**

As mentioned in Clause 1.1 of the attached Certificate, Blacktown City Council has prepared a draft City-wide Local Environmental Plan, known as Draft Blacktown Local Environmental Plan (BLEP) 2013. Draft BLEP 2013 specifies proposed land use zones that apply across the City of Blacktown and the purposes for which development may be carried out (either with or without the need for development consent) or which are prohibited in the zone. Once Draft BLEP 2013 comes into force later in 2014 it will replace the existing BLEP 1988.

In January 2013 Council wrote to all landowners across the City to advise that Draft BLEP 2013 was on public exhibition for a period of 3 months. The purpose of the exhibition was to give the Blacktown community the opportunity to review and comment on the draft Plan before it comes into force.

After the close of the exhibition period Council Officers conducted a comprehensive assessment of over 600 formal written submissions received during the exhibition period. The issues raised in submissions were summarised and addressed in Council Report SD330109, and the report was presented to Council at an Extraordinary Meeting on Monday 9 December 2013. At this meeting Council adopted Draft BLEP 2013 subject to certain amendments arising from submissions, and resolved to forward the amended Plan to the Minister for Planning and Infrastructure to be finalised.

I wish to advise that the proposed zoning of the subject land has changed in response to submissions received during the exhibition period, and at its Ordinary Meeting of 12 March 2014, Council resolved to change the zoning of some properties located in the Business Park Precinct of the Blacktown City Centre. The following table identifies the exhibited zone and the adopted zone. The adopted zone will come into effect once the new LEP has been approved by the Minister for Planning and Infrastructure and published in the NSW Government Gazette. This is expected to occur in mid-2014.

Exhibited Zone	Adopted Zone
B7 - Business Park	IN1 - General Industrial

Should you require any further information regarding this matter, please contact Councils Team Leader Planning Policy on 9839 6216.

Yours faithfully,



Catherine Harris  
**Clerical Unit Co-ordinator**

**Council Chambers** • 62 Flushcombe Road • Blacktown NSW 2148  
**Telephone:** (02) 9839 6000 • **Facsimile:** (02) 9831 1961 • **DX** 8117 Blacktown  
<http://www.blacktown.nsw.gov.au> • **email:** [council@blacktown.nsw.gov.au](mailto:council@blacktown.nsw.gov.au)  
**All correspondence to:** The General Manager • PO Box 63 • Blacktown NSW 2148

Civil Lepadopt

**ATTACHMENT A**

**EXTRACT FROM BLACKTOWN LOCAL ENVIRONMENTAL PLAN 1988**

**ZONE No. 4 (a) (GENERAL INDUSTRIAL ZONE)**

**1. Objectives of zone**

The objectives are -

- (a) to provide areas for accommodating both traditional and modern forms of industrial warehousing and like development outside areas used or zoned for residential or business purposes and so encourage economic and employment growth in Blacktown.
- (b) to encourage the establishment of new industry and other compatible, large-scale activity in appropriate locations;
- (c) to accommodate large industrial, warehousing and like developments such as auction rooms, plant and equipment hire establishments, timber yards and the like, but to prohibit offensive or hazardous industries;
- (d) to enable development for the purposes of retailing only where it is associated with, and ancillary to, manufacturing purposes on the same land or where it serves the daily convenience needs of the local workforce;
- (e) to enable development for the purposes of commercial offices only where it is associated with, and ancillary to, industrial, warehousing or like purposes on the same land or where it serves the daily convenience needs of the local workforce.
- (f) to ensure permitted development creates areas which are pleasant to work in and are safe and efficient in terms of transportation and land utilisation;
- (g) to enhance and improve the physical environment of the City of Blacktown by minimising disturbances caused by air pollutants, water pollutants, other pollutants and noise pollution; and
- (h) to enable development for the purposes of community facilities such as child care facilities either in association with or independent of other permitted development to serve the needs of the workforce of the area.

**2. Development that does not require consent**

Nil.

**3. Development which requires consent**

Any purpose other than a purpose included in Item 2 or 4 of the matter relating to this zone.

**4. Prohibited**

Amusement centres; boarding houses; bulky goods retail establishments; caravan parks; commercial premises (other than those ancillary to and used in conjunction with a purpose permissible in this zone or which serve the daily convenience needs of the workforce of the industrial area); dual occupancy or dwelling-houses (other than those ancillary to and used in conjunction with a purpose permissible in the zone); exhibition homes; exhibition villages; group homes; hardware stores; hazardous industries; hazardous storage establishments; home activities; hospitals; housing for aged or disabled persons; institutions; integrated housing; intensive lot feeding of livestock; manufactured home estates; medium density housing; methadone dispensaries; mineral sand mines; mines; mixed businesses; motels; offensive industries; offensive storage establishments; professional consulting rooms; professional offices; recreation establishments; residential flat buildings; roadside stalls; rural industries; rural workers' dwellings; shops (other than those ancillary to and used in conjunction with manufacturing purposes permissible in this zone or which serve the daily convenience needs of the workforce of the industrial area); tourist facilities.

## **PART 3 - SPECIAL PROVISIONS**

### **DIVISION 1 - Subdivision of Land**

#### **Subdivision generally**

10. (1) A person shall not subdivide land to which this plan applies without the consent of the council.
- (2) Land shall not be subdivided unless the boundaries of allotments so created correspond generally with the boundaries, if any, between zones as shown on the map.
- (3) Notwithstanding the provisions of subclause (2), the council may consent to a plan of subdivision whereby the boundaries of allotments so created will not correspond with the boundaries between different zones as shown on the map but which, in the opinion of the council, depart from those boundaries only to a minor extent.
- (4) Where, upon a registration of a plan of subdivision referred to in subclause (3), the boundary between land is determined in a different position from the boundary between different zones indicated on the map, land shall be deemed to be within the appropriate zone as determined by the council.
- (5) The council shall not grant consent to the subdivision of any part of the land to which this plan applies unless the plan of subdivision makes provision for any proposed road on that part of the land shown by parallel broken lines on the map to be opened generally in the locations shown on the map.

## **Drainage**

19. (1) Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies unless the land is filled to a level satisfactory to the council.
- (2) Where, in relation to the carrying out of development on land to which this plan applies, the council makes any requirements with respect to the drainage of land or the drainage of other land, a person shall not carry out that development except in accordance with those requirements.

## Services

24. (1) The council may refuse consent to the carrying out of any development on any land within Zone No. 2 (a), 2 (b) or 2 (c) unless arrangements satisfactory to it are made (whether by the imposition of conditions under section 91 of the Act or otherwise) for the underground provision of an electrical system to that land and for the installation of such lamp standards as are approved by the council in relation to reticulation.
- (2) The council may refuse consent to the carrying out of any development on any land within Zone No. 2 (a), 2 (b) or 2 (c) unless arrangements satisfactory to Telecom Australia are made by the owner of the land to which the development consent relates for the provision of underground telephone plant to that land.
- (3) A person shall not carry out development on any land to which this plan applies unless arrangements satisfactory to the Water Board have been made with the Board for the provision of water services to the land.
- (4) A person shall not carry out development on any land to which this plan applies unless arrangements satisfactory to -
- (a) in the case of land within Zone No. 1 (a) or 1 (b), the council; or
  - (b) in the case of all other land, the Water Board,
- have been made for the provision of sewerage services to that land.
- (5) A person shall not carry out development on land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 10)" unless arrangements satisfactory to:
- (a) the Water Board and the Council; or
  - (b) in the case of land within the Toongabbie Creek catchment as shown on the map marked "Drainage Catchments - Parklea Release Area", the Council,
- have been made in relation to the drainage of that land.
- (6) A person shall not carry out development on land shown edged heavy black on the map marked "Blacktown Local Environmental Plan 1988 (Amendment No. 10)" unless arrangements satisfactory to the Roads and Traffic Authority have been made by the developer with that Authority to make appropriate payment towards the cost of the arterial road network.

### Tree preservation

25. (1) A person shall not ringbark, cut down, lop, top, remove, injure or wilfully destroy any tree, or cause any tree to be ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed; except with the consent of the council.
- (2) In any proceedings for an offence arising under this clause, it shall be sufficient defence to prove that the tree ringbarked, cut down, topped, lopped, removed, injured or wilfully destroyed was dying or dead or had become dangerous.
- (3) This clause does not apply to trees in a State forest or on land reserved as a timber reserve within the meaning of the Forestry Act 1916, or to trees required to be lopped in accordance with Regulation 38 or 39 of the Overhead Line Construction and Maintenance Regulations 1962, or to any trees which are under the control or management of the Water Board.
- (4) This clause does not operate so as to require a consent to be given pursuant to this clause for the carrying out of development at a plant nursery if the development could lawfully be carried out at the plant nursery in the absence of this clause.

### Covenants, agreements etc.

26. (1) For the purpose of enabling development to be carried out in accordance with this plan (as in force at the time the development is carried out) or in accordance with a consent granted under the Act, the operation of any covenant, agreement or instrument imposing restrictions on development, to the extent necessary to serve that purpose, shall not apply to the development.
- (2) Nothing in the subclause (1) shall affect the rights or interests of the council under any registered instrument.
- (3) Pursuant to section 28 of the Act, before the making of this plan, the Governor approved of subclauses (1) and (2).

## **Nuclear activities**

30. Notwithstanding any other provision of this plan, a person shall not carry out development on land to which this plan applies for the purposes of -
- (a) mining prohibited by the Uranium Mining and Nuclear Facilities (Prohibition) Act 1986;
  - (b) a nuclear facility, the construction or operation of which is prohibited under that Act; or
  - (c) a facility for the storage or disposal of radioactive waste material referred to in section 8(3)(b) of that Act, except pursuant to a licence under the Radioactive Substances Act 1957.

## Advertisements

37. (1) The objectives of this clause are:
- (a) to provide for a variety of outdoor advertisements which are compatible with the purpose for which the land is zoned and with the character of the area;
  - (b) to produce signage which is complementary in scale, form and location with the surrounding natural or built environment; and
  - (c) to ensure that outdoor advertising does not detract from the safety, efficiency or appearance of any public thoroughfare.
- (2) When assessing applications made under this plan for the approval of advertisements:
- (a) the council must consider both the objectives of this clause and the relevant zone objectives;
  - (b) the council must only grant consent if the applicant can demonstrate that:
    - (i) the advertisement will not detract from the amenity of the local environment because of its appearance, size, design, illumination or location, or as a result of the number and location of advertisements within the vicinity;
    - (ii) the size and likely impact of the advertisement is compatible with the size and design of the premises on which the advertisement is to be constructed and with the size and design of the surrounding buildings;
    - (iii) the advertisement will not detract from any items of scenic, historic, architectural, scientific or cultural interest;
    - (iv) appropriate setbacks, clearances and structural features are incorporated into the proposal to ensure safe pedestrian and vehicular traffic circulation; and
    - (v) the advertisement is not a flashing or moving sign.

## Brothels

- 42A (1) Despite any other provision of this plan, development for the purpose of a brothel must not be carried out if the relevant premises are:
- (a) within a straight line distance of 300 metres of land zoned for residential, commercial or public open space purposes; or
  - (b) adjacent to any property used or partly used for residential purposes; or
  - (c) near or within view from any school, church, hospital, child care centre, community facility or public open space or any place regularly frequented by children; or
  - (d) within 100 metres from a road zoned Special Uses - Arterial Road and Arterial Road Widening or Special Uses - Local Road and Local Road Widening.
- (2) In determining an application to carry out development for the purpose of a brothel, the council must consider the following:
- (a) the potential cumulative impact of like uses in a neighbourhood;
  - (b) whether the operation of the brothel is likely to cause disturbance in the neighbourhood when taking into account other brothels operating in the neighbourhood or other land uses within the neighbourhood involving similar hours of operation;
  - (c) whether or not the brothel is in keeping with or is likely to substantially alter the character of its locality; and
  - (d) whether the brothel is likely to put at risk members of the community or its clientele or service providers.

### Service centres

47. (1) The council shall not grant consent to the carrying out of development for the purpose of a service centre in any zone unless it is satisfied that:
- (a) there is a separation distance of at least 2 kilometres between the proposed service centre and any established service centre or service station, or proposed service centre or service station that has received development consent, except where any such established or proposed service centre or service station is located on the opposite side of the road within Zones Nos. 5(b) or 5(c) adjoining the proposed service centre; and
  - (b) the proposal would not result in unacceptable traffic delays or have a great impact on the operation of intersections in the vicinity, and provides safe access to and from the site, based on a comprehensive traffic study prepared by a suitably qualified person.
- (2) In determining an application to carry out development for the purpose of a service centre, the council must consider the following:
- (a) the potential cumulative impact of the proposed service centre on like uses such as service stations in the locality;
  - (b) whether the operation of and access to and from the service centre is likely to cause disturbance to residents or impinge on existing lawful uses in the vicinity; and
  - (c) whether or not the service centre is likely to substantially alter the character of its locality.
- (3) Notwithstanding the provisions of subclauses (1) and (2), where the council is of the opinion that the local community is not likely to be provided with adequate convenience retail facilities in the foreseeable future, the council may grant consent to a service centre which is at variance with the criteria set out in subclauses (1) and (2).

**Zone IN1 General Industrial**

**1 Objectives of zone**

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.
- To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.
- To minimise adverse impacts on the natural environment.

**2 Permitted without consent**

- Nil.

**3 Permitted with consent**

Aquaculture; Building identification signs; Business identification signs; Depots; Food and drink premises; Freight transport facilities; General industries; Heliports; Industrial training facilities; Kiosks; Light industries; Neighbourhood shops; Roads; Warehouse or distribution centres; Vehicle sales or hire premises; Any development not specified in Item 2 or 4.

**4 Prohibited**

Agriculture; Air transport facilities; Airstrips; Amusement centres; Business Premises; Camping grounds; Caravan parks; Cemeteries; Commercial premises; Correctional centres; Ecotourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health service facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Marinas; Open cut mining; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Residential accommodation; Restricted premises; Signage; Tourist and visitor accommodation; Veterinary hospitals; Wharf or boating facilities; Wholesale supplies.

Annex E

## Previous Development Consents



Land and Environment Court  
of New South Wales

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**CITATION :** Sell & Parker Pty Limited v Blacktown Council [2001] NSWLEC 12

**PARTIES :** APPLICANT:  
Sell & Parker Pty Limited  
ACN 000 101 315

RESPONDENT:  
Blacktown City Council

**FILE NUMBER(S) :** 10204 of 2000

**CORAM:** Lloyd J

**KEY ISSUES:** Development Application :- whether hazardous industry - whether offensive industry - components of development not to be considered in isolation for the purpose of characterisation

**LEGISLATION CITED:** Environmental Planning and Assessment Act 1979 s 91 and s 97  
Environmental Planning and Assessment Regulation 1994 Sch 3  
Protection of the Environment Operations Act 1997  
State Environmental Policy No. 33 - Hazardous and Offensive Development Pt 2 and Pt 3  
Blacktown Local Environmental Plan 1998

**CASES CITED:** Rudman v Tweed Council, NSWLEC, Bignold J, 28 September 1993, unreported

**DATES OF HEARING:** 06/11/2000; 07/11/2000; 08/11/2000; 09/11/2000;  
10/11/2000; 05/02/2001 and 06/02/2001

**DATE OF JUDGMENT:** 11/05/2001

**LEGAL REPRESENTATIVES:** APPLICANT:  
Mr N A Hemmings QC (Solicitor)  
SOLICITORS:  
Allen Allen & Hemsley  
RESPONDENT:  
Mr M J Craig QC  
SOLICITORS:  
Michell Sillar

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**Sell & Parker Pty Limited**

**ACN 000 101 315**

Applicant

v

**Blacktown City Council**

Respondent

## **JUDGEMENT**

### **Description of the Proposed Development**

1. This is an appeal under section 97 of the Environmental Planning and Assessment Act 1979 ("The EP&A Act") against the deemed refusal by the respondent, Blacktown Council ("the council") of a development application for a metal recycling facility. Following the filing of the appeal the council resolved to refuse the development application.
2. An amended statement of issues relied upon by the council lists twenty nine issues. It seems, however, that this is another example of the ingenuity of lawyers to say essentially the same things in a great number of ways. The basic issues which were raised at the hearing are discussed below.
3. The land to which the development applies is known as No. 45-54 Tattersall Road, Kings Park. The land has an area of about 2.91 hectares, having a frontage of about 100 metres to Tattersall Road, a depth of about 260 metres and a rear boundary adjacent to Breakfast Creek. The land has a fall of about 7.5 metres from Tattersall Road to Breakfast Creek.

4. On 27 November 1996 the council granted development consent for the establishment of a metal recycling facility on the central and southern (or rear) part of land. The development authorised by that consent is a metal shear facility, an office building, a weighbridge, storage bays, a stormwater detention dam and car parking. The approved development has been implemented and has, I understand, been in operation for about the last three years.
5. The present development application is for the establishment of a hammermill (also known as a fragmentiser or metal shredder) on the northern part of the land (near Tattersall Road), together with associated components. The development also proposes to make use of the existing administrative buildings, the existing maintenance facilities and the existing stormwater detention dam on the southern part of the land. The development also proposes some additional car parking on the southern part of the land and the extension of acoustical fencing and landscaping proposed for the northern part of the site onto the southern part as well.
6. The hammermill is designated development, being classified as a "*mineral processing or metallurgical works*" as described in Schedule 3 of the Environmental Planning and Assessment Regulation 1994. It is also integrated development within the meaning of section 91 of the EP&A Act, requiring approvals from the Environment Protection Authority ("the EPA") pursuant to the Protection of the Environment Operations Act 1997; and from the Department of Land and Water Conservation pursuant to the Rivers and Foreshores Improvement Act 1948, as part of the proposed development is within 40 metres of Breakfast Creek.
7. According to the Environment Impact Statement ("the EIS"), the development will enable the processing of 60,000 tonnes of raw material per annum. About 90 per cent of the raw material will be industrial scrap metal and demolition waste and the remaining 10 per cent will comprise car bodies. The annual output of the development will be 4,000 tonnes of ferrous material and 250 tonnes of non-ferrous material such as aluminium, copper and smaller quantities of other material such as lead.
8. The main component of the development is the hammermill (which is also variously described in the evidence as a fragmentiser or shredder). This is a fairly awesome

machine which breaks up the raw material which is fed into it at one end so that it emerges at the other end as fragmented or shredded pieces of metal suitable for re-processing.

9. The main components of the development are:

- a) raw material stockpile with bunding and oil water separators;
- b) rubber tyre materials handler to remove raw feed materials;
- c) metal recycling plant equipment comprising:
  - i) infeed conveyor;
  - ii) hammermill;
  - iii) air extraction system including cyclones, fans, wet scrubber and cascade;
  - iv) drum magnet;
  - v) shaker table;
  - vi) pan feeder and trommel;
  - vii) 2 eddy current separators;
  - viii) picking station;
  - ix) picking conveyor;
  - x) discharge conveyor;
- d) waste enclosure;
- e) product stockpile;
- f) rubber tyre loader;
- g) aboveground hydrocarbon storage tank with storage capacity of 5,000 litres with secondary containment.

10. The materials handler will feed all material into the metal recycling plant at the southern end and the finished product will be emitted from the northern end. The metal recycling plant is 17 metres high and will cover an area of approximately 70 metres by 50 metres. It will be situated directly behind a proposed retaining wall and a screen wall which is 7.5 metres from the front property boundary along Tattersall Road.

11. The development includes excavation of the site by up to 4 metres commencing 7.5 metres from the northern boundary to accommodate the metal recycling plant and concreting of the entire site.

12. The development also includes:

- a) three additional car spaces adjacent to the existing office building and nine car spaces on the south eastern corner of the site;
- b) new access roadway and weighbridge at the southern end of the site adjacent to the proposed additional car spaces and existing maintenance building;
- c) a wheel wash at the exit from the site to Tattersall Road;
- d) landscaping around the perimeter of the site;
- e) reinforced concrete retaining walls on the northern, western and eastern sides of the metal recycling facility;
- f) four metres high fencing on the northern, eastern and western boundaries of the site; and
- g) use of the existing office building for staff amenities including lunchroom, bathroom and office space.

13. The processing operation of the metal recycling facility is to be as follows:

- a) cars and scrap metal are fed into the conveyors by a raw materials handler;
- b) the feed conveyor feeds material into the hammermill which shreds material into fist-size pieces;
- c) a draft fan extracts air from the hammermill and passes it through the cyclone to remove particulates, then through a wet scrubber to remove fine dust;
- d) fragmented raw material is then carried on an inclined conveyor belt and dropped into a conveyor chute and undergoes a cleaning process;
- e) cleaned fragmented material then runs through a drum magnet, which collects ferrous materials and drops them onto a picking conveyor where operators manually remove non-ferrous material. Non-ferrous material drops beneath the drum magnet;
- f) materials then continue along the conveyor which off-loads the ferrous product into the product stockpile via an eddy current separator, which collects aluminium copper and brass in a skip. The remaining material proceeds through various sorting and collection processes;

- g) remaining material constitutes waste product and proceeds into a brick bunker. Waste products typically comprise mixed plastics, particulates, glass and foam. Solid wastes such as mud and loose dirt also result.

**Is the development permissible under the planning controls?**

14. The first issue in the case is whether the development is prohibited within the relevant zone. The subject land is within Zone No. 4(a) General Industrial Zone under the Blacktown Local Environmental Plan 1998 ("the LEP"). Clause 9(3) of the LEP states:.

*Except as otherwise provided by this plan, the consent authority shall not grant consent to the carrying out of development on the land to which this plan applies unless the consent authority is of the opinion that the carrying out of development is generally consistent with one or more of the objectives of the plan and one or more of the objectives of the zone within which the development is proposed to be carried out.*

15. The objectives of the zone include the following:

- ...
- (b) *to encourage the establishment of new industry and other compatible, large-scale activity in appropriate locations;*
  - (c) *to accommodate large industrial, warehousing and the like developments such as auction rooms, plant and equipment hire establishments, timber yards and the like, but to prohibit offensive or hazardous industries;*

- ...
- (f) *to ensure permitted development creates areas which are pleasant to work in and are safe and efficient in terms of transportation and land utilisation*
  - (g) *to enhance and improve the physical environment of the City of Blacktown by minimising disturbances caused by air pollutants, water pollutants, other pollutants and noise pollution; ....*

16. The zoning table for the 4(a) Zone expressly allows, with development consent, an industry listed in Schedule 3 to the Environmental Planning and Assessment Regulation 1994, being designated development. The zoning table expressly prohibits hazardous industries and offensive industries within the 4(a) Zone.

17. A “*potentially hazardous industry*” is described in the LEP as follows:

*potentially hazardous industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would pose a significant risk in relation to the locality:*

a) *to human health, life or property; or*

b) *to the biophysical environment*

*and includes a hazardous industry and a hazardous storage establishment;*

18. A “*hazardous industry*” is defined in the LEP in the following terms:

*hazardous industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impacts on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would pose a significant risk in relation to the locality:*

a) *to human health, life or property; or*

b) *to the biophysical environment,*

19. These two definitions are identical to the definitions of “*potentially hazardous industry*” and “*hazardous industry*” in State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (“SEPP 33”).

20. Similarly, the definition of “*potentially offensive industry*” and “*offensive industry*” in the LEP are identical to those definitions in SEPP 33. Those definition are as follows:

*potentially offensive industry means a development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.*

*offensive industry means a development for the purposes of an industry which, when the development is in operation and when all measures proposed to reduce or minimise its impacts on the locality have been employed (including, for example, measures to isolate the development from existing or likely future development on other land in the locality), would emit a polluting discharge (including, for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land in the locality.*

21. Part 2 of the SEPP 33 applies to hazardous industries and to offensive industries. It provides that in determining whether a development is a hazardous industry or an offensive industry, consideration must be given to current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development.
22. Part 3 of SEPP 33 applies to potentially hazardous and potentially offensive industries. It requires an applicant for such development to prepare in accordance with the current circulars or guidelines published by the Department of Planning, a preliminary hazard analysis and to submit the analysis with the development application (clause 12). In

determining an application to carry out such development the consent authority must consider (in addition to other matters specified in the EP&A Act or in an environmental planning instrument applying to the development):

- a) *current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development; and*
- b) *whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply; and*
- c) *in the case of development for the purpose of a potentially hazardous industry - a preliminary hazard analysis prepared by or on behalf of the applicant; and*
- d) *any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application); and*
- e) *any likely future use of the land surrounding the development.*

*(Clause 13)*

- 23. The applicant contends that the proposed development is not a hazardous industry nor an offensive industry, neither is it a potentially hazardous industry nor a potentially offensive industry. The council contends to the contrary.
- 24. The Department of Planning has published guidelines for the purpose of clause 12 of SEPP 33. The guidelines state that a preliminary hazard analysis should be prepared in accordance with a number of hazardous industry advisory papers prepared by the Department.
- 25. In *Rudman v Tweed Council* (NSWLEC, 28 September 1993, unreported) Bignold J held that the requirements of clauses 12 and 13 of SEPP 33 are properly to be regarded

as directory and not mandatory. His Honour further held that it follows that non-compliance with those requirements does not produce invalidity in the resultant action, at least if it can be shown that there has been substantial compliance with the requirements. The conclusion of Bignold J is supported by a reading of the guidelines and advisory papers themselves, with statements such as "*the PHA [the preliminary hazard analysis] should be prepared in accordance with Hazardous Industry Planning Advisory Paper No 6...*" (not "*must*" or "*shall*"). On the same basis it would seem that clause 8 of SEPP 33, which requires that consideration must be given to current circulars or guidelines published by the Department of Planning in determining whether a development is a hazardous or potentially hazardous industry, or an offensive or potentially offence of industry, is similarly a directory and not mandatory requirement.

26. Both clauses 8 and 12 of SEPP 33 refer to circulars published by the Department of Planning as well as to guidelines. In one such a circular dated 16 March 1992 the Secretary of the Department stated:

*The PHA need not be an elaborate or extensive study. For simple cases, a brief analysis, sufficient to satisfy consent authorities that the location and controls are appropriate should suffice.*

This statement suggests again that substantial compliance with the relevant guidelines is sufficient.

27. If it can be said that the development is a potentially hazardous industry, then in the present case a hazard analysis substantially in accordance with the guidelines was prepared and was included as part of the EIS. Although called a "*preliminary risk assessment*" in the EIS it is, in substance, a preliminary hazard analysis which substantially complies with the above-mentioned circular and with the guidelines. Irrespective of the question of whether the development is a potentially hazardous industry or hazardous industry, there has, in my opinion, been substantial compliance with clause 12 of SEPP 33.
28. The applicant contends, however, that the development would not pose a significant risk

in relation to the locality and is thus neither a potentially hazardous industry nor hazardous industry.

29. The council, on the other hand, contends that the development is either a hazardous or an offensive industry and is thus prohibited in the General Industrial zone. The significant risks to the locality posed by the development are said by the council to result from explosions (mainly the emission of projectiles, airblast overpressure and noise); fires in stockpiles (with resultant explosions and the emission of radiant heat and toxins); contamination (from the entry onto the land of toxic and hazardous materials); and the emission of polluting discharges. The council further submits that if the Court determines that the development is not characterised as either hazardous or offensive it should nevertheless be refused on its merits because of its unacceptable environmental impacts and/or because of the failure of the applicant to adequately identify and assess the potential environmental impacts.
30. I have set out the relevant definitions (in pars [17]; [18] and [20] above). It seems to me that fundamental to the characterisation of the development is the answer to the question: what is "*the development*"?
31. The "*development*" in this case comprises the various components which I have set out (in pars [9] and [12] above), as described in the EIS. That is "*the development*" described in the application. The various components cannot, in my opinion, be considered in isolation from one another for the purpose of characterisation. To consider each component in isolation would be an artificial exercise and would corrupt the word "*development*" as used in the definitions which I have set out (in paras [17], [18] and [20] above).
32. In order to determine whether "*the development*" (which necessarily includes its various components) is within or without the definition of "*potentially hazardous industry*" or of "*hazardous industry*", it is necessary to examine the whole proposal to determine whether it would pose a significant risk in relation to the locality. Similarly, in order to determine whether "*the development*" is within or without the definition of "*potentially offensive industry*" or "*offensive industry*", it is necessary to examine the whole proposal to determine whether it would emit a polluting discharge in a manner

which would have a significant adverse impact on the locality.

33. In another way, in order to make the determination called for by the definitions it is necessary to examine the impact of the proposed development in the same way that the merits of the proposal are assessed. That is to say, in assessing the merits of the proposed development one can at the same time reach the determination called for by the definitions. Conversely, reaching the determination called for by the definitions involves an assessment of the merits of the proposal.
34. An assessment of the merits of the proposal leads me to the following conclusions. In my opinion "*the development*" is neither a potentially hazardous industry nor is it a hazardous industry. Neither is "*the development*" a potentially offensive industry nor is it an offensive industry. If the development as proposed (which necessarily includes its various components) were to operate without employing any additional measures to reduce or minimise its impact, it would not, in my opinion, pose a significant risk in relation to the locality, neither would it emit a polluting discharge in a manner which would have a significant adverse impact in the locality. I have also come to the view that the development is acceptable on the merits. I have come to these views for the following reasons.
35. The key component of the development, the hammermill, is so designed that if an explosion does occur it will not have any significant consequences or pose any significant risk in relation to the locality. The hammermill is to be manufactured and supplied by Lynxs Shredder Technology Limited of the United Kingdom and it has a number of design features which make it different from American-made machines as used by other metal recycling facilities in Sydney. These design features were described in evidence by Mr T A Christian, a director of Lynxs Shredder Technology Limited and designer of the Lynxs hammermill. Mr Christian has been involved in the design and installation of similar Lynxs machines overseas. He was the only expert witness who was experienced in the design, installation and operation of such machines. I have no reason to doubt his evidence, which was tested by a long and searching cross-examination.

36. Without repeating the technical details of the design, I am satisfied by the evidence that no uncontrolled ejection of fragments can occur even if operator error results in combustible substances being introduced into the hammermill. Apart from the structure of the machine being designed to withstand explosion pressures, there is incorporated in the design a dust extraction system and the addition of water to dampen the feed materials and diminish sparking during the shredding process, thus reducing the probability of the ignition of any volatile fumes resulting from any residual hydrocarbons left after inspection and preparation of the feed material.
37. The evidence of the council contradicting Mr Christian's evidence is less convincing. For example, Mr A Magrabi, a chemical and fire protection engineer who gave evidence for the council believed that the operating temperatures within the machine would be between 700 and 800 degrees Celsius (at which temperature the bearings would fail), whereas the design temperature is about 150 degrees Celsius. Moreover, Mr Magrabi had never seen a hammermill. I completely reject his evidence. I also prefer the evidence of Mr Christian to that of Dr Lozzi, senior lecturer in mechanical engineering at the University of Sydney and who was called by the council. Dr Lozzi's evidence seemed to be based on to some extent of his knowledge of a hammermill at a metal recycling plant operated by Simsmetal Limited at St Mary's, which has about five times the capacity of the proposed plant here, was made by a different manufacturer and does not possess a number of the design features of the proposed Lynxs plant.
38. The process to be adopted by the applicant involves the exclusion of dangerous goods, such as petrol, diesel oil or liquefied petroleum gas (LPG). LPG cylinders will be removed from the feed stock and then removed from the site. The storage and handling of unpurged cylinders will comply with the relevant Australian Standard. The proposed development includes the installation of a 5000 litre above ground tank for the storage of petrol, diesel oil and oil drained from the car bodies; and the storage of 1000 litres of hydraulic oil. The 5000 litre tank will be designed, installed and operated in accordance with the relevant Australian Standard. Car bodies will be handled in an upside-down position so that any fuel tanks (if present) can be discovered and removed before the car body is processed. Crushed or baled cars will not be accepted for processing. Fuel tanks will not be fed into the hammermill but will instead be processed at the presently

existing metal shear facility. As noted above, in the unlikely event of scrap metal containing volatile flammable material being inadvertently fed into the hammermill resulting in an internal explosion, the hammermill is designed to accommodate such an event without any risk to anyone on the outside.

39. Noise levels are predicted to be an  $L_{A10}$  of 68dB(A) at the property boundary. This is within the EPA's General Terms of Approval of a maximum  $L_{A10}$  of 70dB(A). Moreover, the noise will be non-impulsive. The plant incorporates a set of vibration isolating elements in its support structure so that there will be an imperceptible level of ground vibration at the property boundary. As to airblast overpressure in the event of an explosion within the plant, the development will comply with the EPA's General Terms of Approval that any such airblast overpressure levels must not exceed 120dB (linear peak) when measured at the property boundary. The council's acoustical consultant, Mr S E Cooper, accepts this as being an appropriate standard.
40. The dust generated by the development will arise mainly from the vehicle movements and the wet scrubber, and will be less than 0.1 gram per square metre per month ( $0.1\text{gm}/\text{m}^2/\text{month}$ ) and the annual average increase in total suspended particulates and  $\text{PM}_{10}$  would be less than 1 microgram per cubic metre ( $1\mu\text{g}/\text{m}^3$ ) at the nearest residences. These are very low values and unlikely to be perceptible to householders. Flock-type waste will not be stored in the open but in a skip in an enclosed building from which it will be transported from the site to landfill after first being covered. Enclosed conveyors over the waste stream and a two-stage end extraction system will result in no dust escaping from the plant when it is in operation.
41. The council argues that as a result of the sealing of the northern part of the site, the volume of run-off containing leachate with concentrations of dissolved metal will increase, to be treated in the existing stormwater detention pond. It is then said by the council that such contaminants will be discharged into Breakfast Creek and will enter the groundwater system. The evidence shows that the active groundwater system is at present at a depth of less than 3 metres below the surface of the land; the groundwater beneath the surface will discharge into Breakfast Creek whenever the water level in the Creek is lower than the groundwater; and copper, lead and zinc are at present in the groundwater beneath the site at concentrations which exceed the Australian and New

Zealand Environment and Conservation Council (1992) Guidelines ("ANZEC Guidelines") for the Protection of Freshwater Aquatic Ecosystems. It is said that the washing of scrap metal in the primary stockpile area could cause contaminants to be washed into the system; and stormwater run-off from parts of the site could be contaminated with oils, grease, sediment and metals generated during the operation of the development.

42. The testing of groundwater samples shows, however, that dissolved metal concentrations in the groundwater which is flowing onto the site are higher than those in the groundwater flowing off the site. This suggests that the existing detention pond and the site generally appear to be acting to reduce the concentrations of dissolved metals in the groundwater. Notwithstanding the existing metal recycling activities on the land, the site appears to be acting generally to improve the quality of groundwater from the up gradient to the down gradient. Moreover, leachate testing of the stockpile materials shows that concentrations of dissolved metals would be significantly lower than those occurring naturally in the existing groundwater. The proposed development site is to be sealed. This will in turn minimise the potential for any leachate to infiltrate the underlying ground. The capacity of the detention pond is such that it is designed to cope with a one in ten-year storm event; its capacity was approved by the council's engineer (who was not called) and who has stated that it will cope adequately with the proposed development; and the Department of Land and Water Conservation has approved it.

## **Conclusion**

43. I am thus led to the conclusion that the development as proposed in this case would not pose a significant risk in relation to the locality to human health, life or property, or to the biophysical environment. It is thus not a potentially hazardous industry. It follows that it is also not a hazardous industry. Similarly, I am led to the conclusion that the development would not emit any polluting discharge in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land. It is thus not a potentially offensive industry. It follows that it is also not an offensive industry.

44. The consequence of these conclusions is that the development is permissible with development consent. The discussion of the issues of merit which have led to these conclusions also shows that the development should be approved on merit, subject to the conditions which are attached to this judgment, most of which have been agreed to by the parties.
45. I should briefly indicate why those conditions which are disputed have been dealt with in the manner shown in the attached conditions.

### ***Condition 2***

46. Condition 2 provides: "*the life of this consent is limited to a period of 20 years from the date of this consent.*" This condition is imposed so as to be consistent with condition 3: "*the development shall be carried out in accordance with the Environmental Impact Statement...*". The EIS states that the estimated life of the facility will be 20 years. The condition does no more than impose as a condition on the development consent a statement contained in the EIS. I accept the council's submission that this condition is appropriate, so that if it is intended to continue the development beyond 20 years then advantage might be taken of any advance in the technology in that time.

### ***Condition 3***

47. The applicant seeks the inclusion of reference to figure 2.1, which is described in the development application plans as the existing site plan. The council opposes this because the plan is said by it to be not reflective of the state of affairs as they exist at the present time and it might otherwise be thought that consent is being granted to a modification of the existing development. I agree with the council's contention. In order to remove any possible dispute as to what is the subject of the consent there will be no reference to figure 2.1 in the condition.

### ***Condition 9(d)***

48. This calls for the submission of engineering plans and design specifications. The applicant has no objection to this, but objects to the review of the design. This condition does not, however, require that there be a review of the material; it only

requires that the drawings and specifications be furnished (so as to be included with or incorporated by reference in the construction certificate). This condition will be included.

***Condition 9(e)***

49. The parties have agreed on the amended condition in the form of the attachment hereto.

***Condition 9(f)***

50. This condition as sought by the council requires details of noise control and monitoring measures to be implemented during construction of the metal recycling facility to ensure that a level of 48 dB(A)  $L_{A10}$  will be achieved at all residences in accordance with Table 5.12 of the EIS. According to the council, what the condition seeks to do is to have identified for consideration the measures designed to ensure that the level is in fact met.
51. I do not think it is necessary to impose the condition. None of the acoustical engineers who gave evidence suggested that there would be any problem in meeting the nominated standard set out in the EIS. The condition is both onerous and unnecessary. It is deleted.

***Condition 9(g)***

52. The council seeks additional details in relation to the landscaping plan. The details sought by this condition are not included in the landscaping plan, neither are they included in the report of Dem Design which was tendered in evidence. In my opinion the additional information is both proper and necessary.

***Condition 9(i)***

53. This condition is in two parts. In the first part the council seeks to require that stormwater pollution controls be designed to meet the 95th percentile, five-day storm event. The need for this is said to arise from the uncertainty attaching to the capacity of the detention dam. The evidence shows, however, that stormwater pollution controls designed for the 75th percentile five-day storm would be appropriate. Both the EPA and the council's engineer have expressed satisfaction with the storage capacity of the

dam. I see no reason to adopt the standard sought by the council.

54. In the second part of the condition the council requires that waters in the post-construction phase which discharge into Breakfast Creek comply with the ANZEC Guidelines. The applicant argues, however, that the water in the dam meets drinking standard and is the same as the quality of the water in the creek and that the ANZEC Guidelines are excessive, onerous and cannot be met.
55. The evidence shows that stormwater goes through the ground and then into the detention dam, but the naturally occurring metals in the groundwater commonly exceed the ANZEC Guidelines. This is commonly the case throughout western Sydney. The minerality of the soil is a result of the weathering process of the underlying Wiaramatta shale. I thus accept the applicant's contention that, for this reason, the condition as proposed by the council cannot be met. Condition 9(i) is amended accordingly to reflect these conclusions.

***Condition 9(j)***

56. The council seeks to impose a condition that, as part of the Erosion and Sediment Control Plan described in Condition 9(h), provision be made for the modelling of storm water pollution and to specify what the model must show.
57. I note that an Erosion and Sediment Control Plan is required by condition 03.1 of the EPA's General Terms of Approval and that it must be prepared in accordance with the requirements for such plans outlined in the so-called "*Blue Book*": *Managing Urban Stormwater: Soils and Construction*. In the light of the expert evidence adduced during the hearing I see no reason to impose different or other requirements. This condition, in my opinion, is not required and is deleted.

***Condition 9(k)***

58. The council requires an assessment of the adequacy of the existing water quality control measures on the site, including details relating to the existing sedimentation dam. The evidence adduced during the hearing, however, did not disclose any shortcoming in the operation, capacity or effectiveness of the dam or of water control measures on the site.

In my opinion, this condition is unnecessary and is deleted.

***Condition 9(l)***

59. Both parties have agreed to the deletion of this condition.

***Condition 10***

60. The council seeks to supplement Condition 9(h) by requiring the applicant to consult it regarding design parameters for the Erosion and Sediment Control Plan and requiring the system to be design in accordance with certain publication nominated by it. This condition may have the effect, however, of altering the design parameters in the "*Blue Book*" referred to in Condition 9(h) and in condition O3.1 of the EPA's General Terms of Approval. I am not persuaded that this condition is either necessary or appropriate. It is deleted.

***Condition 29***

61. The council has sought to impose a condition to allow it to require additional erosion and pollution control measures in case the work is stalled and the site is left in an unfinished state, whether as consequence of liquidity problem on the part of the developer or otherwise. The applicant submits, however, that the council cannot reserve to itself the power to review conditions of the consent and such a condition would be *ultra vires*. I am inclined to agree with the applicant. The council's position would be protected in such an event by other remedies. Condition 29 is deleted.

***Condition 36***

62. This condition which the council seeks merely repeats the noise criterion set out in the EIS. I can see no objection to specifically stating the criterion in a condition.

***Condition 37***

63. The parties agreed to amending this condition to the form in which it now appears.

***Condition 50***

64. The parties agreed to the deletion of this condition.

***Condition 53***

65. The parties agreed to the amendment of this condition to the form in which it now appears.

***Condition 54***

66. This condition has been amended to reflect the parties' agreement to its form.

***Condition 62***

67. The council seeks to impose a condition requiring the applicant to obtain a licence from the EPA in relation to the discharge of waste waters into a watercourse; if the EPA does not require such discharges to be the subject of a licence then section 120 of the Protection of the Environment Operations Act 1997 must be complied with.
68. I agree with the applicant's contention that this condition is inappropriate. The Protection of the Environment Operations Act is administered by the EPA and the applicant must comply with that Act in any event. This condition is also deleted.

***Condition 64(e)***

69. The council seeks to impose a condition requiring a fire safety study to be carried out to its satisfaction and to the satisfaction of the NSW Fire Brigades and WorkCover NSW, such study to be carried out in accordance with the relevant guidelines produced by the Department of Urban Affairs and Planning for the assessment of hazardous industries.
70. I agree with the applicant's submission that this condition is unnecessary. The development application was referred to the NSW Fire Brigades which has expressed satisfaction with the operation and does not require a fire safety study. I see no reason why I should not accept the views of that body. The guidelines of the Department of Urban Affairs and Planning do not apply because the development is neither a hazardous industry nor a potentially hazardous industry. This condition is deleted.

***Condition 71***

71. This condition is amended as agreed to by the parties.

***Condition 77***

72. The parties agreed that this condition may be deleted.

***Condition 78***

73. The council seeks to verify the fact that no more than 10 per cent of the material processed comprises car bodies. It seeks by this condition to require the applicant to keep appropriate records and submit them to the council.
74. The applicant has no objection to the keeping of appropriate records, but objects to submitting them to the council for fear that its commercially sensitive records will become known to its trade competitors. The applicant proposes an alternative condition allowing officers of the council to inspect its records. I think that the applicant's approach is appropriate and reasonable. The applicant's alternative condition is adopted.

***Condition 82(a)***

75. The applicant agreed to accept this condition provided that the actual records do not have to be submitted to the council.

***Condition 85***

76. The parties agreed to this condition being amended in the manner in which it now appear.

***Condition 88***

77. This condition has been amended in the manner agreed to by the parties.

***Condition 89***

78. This condition is also amended in the manner agreed to by the parties.

### ***Condition 102***

79. This condition is amended to correct a reference to another condition.

### ***Condition 103***

80. This condition is amended to reflect what appears in table 3 in the report of Dr R Tonin (Exhibit D). The applicant objects to the fixing of any numerical standard, preferring a condition which requires compliance with the limits set out in the EPA Noise Control Manual and the Industrial Noise Policy 2000. In my opinion, however, the applicant should be held to what it says it can and will do.

### ***Condition 111***

81. The council accepts the alternative condition proposed by the applicant and which is now incorporated in this condition.
82. ***Conditions 112 and 113*** deal with dust suppression. The council requires a water truck capable of supplying a water spray at a rate of 1.5 l/m<sup>2</sup>/hour to water unsealed traffic areas; and water spray for exposed material surfaces in the plant and stockpiles at a delivery rate exceeding 1.5l/m<sup>2</sup>/hour.
83. The applicant submits that the delivery rate proposed by the council of 1.5l/m<sup>2</sup>/hour is excessive and likely to cause run-off; the existing dry sweeper incorporates a vacuum extraction system and is satisfactory; and static dust supplement sprays are unnecessary
84. I agree with the applicant's submissions. The EIS shows that the dust-generating standards can be met without the additional measures supported by the council. The two conditions proposed by the council are therefore substituted by a single condition to reflect the current and satisfactory practice.

### ***Condition 115***

85. This condition has been amended in accordance with the parties agreement.
86. ***Conditions 117 and 126A*** are, by agreement, deleted.

***Condition 131***

87. The council seeks a condition requiring the applicant to prepare an emergency plan in accordance with the relevant guidelines. The guidelines apply, however, only where the development is a potentially hazardous industry. I thus accept the applicant's submission that there is no requirement for an emergency plan as sought by the council. This condition is deleted.

***Condition 136***

88. The parties have agreed on an amended condition which is accordingly included.

***Condition 137***

89. Similarly, the parties have agreed on an amended condition which is accordingly included.

***Condition 140***

90. The parties agreed to an amendment of this condition which is now in the agreed form.

***Condition 147***

91. The council seeks a cash bond or bank guarantee in the sum of \$50,000 to ensure the effective establishment and maintenance of landscaping. The applicant opposes this but is prepared to consent to a bond or bank guarantee in the sum of \$10,000.

There is no evidence to suggest what sum would be appropriate for such a purpose. There is nothing, however, to suggest that if the landscaping is not established and maintained, the council could not either prosecute the applicant or obtain an injunction from the Court to secure the observance of this or any other condition of consent. I would not have been inclined to require any bond or bank guarantee, but since the applicant agree to provide bond in the sum of \$10,000 this is reflected in the condition.

92. ***Conditions 148, 149 and 151*** are deleted as agreed by the parties.

## Orders

93. I make the following orders:

1. Appeal upheld.
2. Development consent is granted for a metal recycling facility and associated works at Nos. 45-54 Tattersall Road, Kings Park subject to conditions attached to these orders.
3. The exhibits, other than Exhibits A and B, may be returned.

I hereby certify that the preceding 93 paragraphs are a true copy of the reasons for judgment herein of the Honourable Mr Justice Lloyd

Associate



Dated: 11 May 2001

## CONDITIONS OF DEVELOPMENT CONSENT

### Sell & Parker Pty Limited v Blacktown City Council

**Lot 5, DP 7086, 45-54 Tattersall Road, Kings Park  
Metal Recycling Facility -  
Hammermill and Associated Works**

1. This consent authorises the use of the northern part of the Site for the following purposes, subject to compliance with all other conditions of this consent:

METAL RECYCLING FACILITY (LYNXS SHREDDER AND ASSOCIATED COMPONENTS) WITH A MAXIMUM MASS FEEDSTOCK OF 60,000 TONNES PER ANNUM.

THE ONLY RAW MATERIALS PERMITTED TO BE SHREDDED ARE GENERAL METAL SCRAP AND CARBODIES. UNDER NO CIRCUMSTANCES ARE ANY PRESSURISED VESSELS OR ANY VOLATILE OR EXPLOSIVE SUBSTANCES TO ENTER THE METAL RECYCLING FACILITY.

2. The life of this consent is limited to a period of 20 years from the date of this consent.
3. The development shall be carried out in accordance with the Environmental Impact Statement dated December 1999 prepared by Environmental Resources Management (the "EIS") and the Visual Impact Design by Dem design as amended by these conditions and the following plans:

Drawing No.	Dated	Council's File Enclosure No.
Figure 2.2 Proposed Layout	undated	29C
Figure 2.3 Site Layout	undated	29D
SK-1-Site Plan & Elevation	undated	189B
SK-2 Large Rigid Truck (12.5 metre) manoeuvring path	undated	
SK-3 Semi-trailer turning paths (19.0 metre)	undated	

N00699-2-BE-SECT Earthworks Plan & Sections (Concept)	July 00	194C
A1-R-2131-B	October 00	355C
A1-R-2132-B	October 00	355D
A1-R-2601-B	October 00	355E
A1-R-302-A	October 00	355F
219925-1B	19.8.00	352A
219925-2B	19.8.00	352B
219925-3B	19.8.00	352C
219925-4B	19.8.00	352D

4. In this development consent:

“**Council**” means Blacktown City Council.

“**EPA**” means the Environment Protection Authority of New South Wales.

“**DLWC**” means the Department of Land and Water Conservation.

“**Metal Recycling Facility**” means the metal recycling facility the subject of development application No. 99/7797.

“**Northern part of the Site**” means the part of the Site between the existing office building, maintenance shed and the Tattersall Road frontage.

“**Sedimentation Pond**” means the sedimentation pond located on the southern portion of the Site.

“**Site**” means the land known as Lot 5 DP7086 being 45-55 Tattersall Road Kings Park.

“**Southern part of the Site**” means the part of the Site to the south of the existing office building.

5. Any reference in this consent to a Construction, Compliance, Occupation or Subdivision Certificate is a reference to such certificates as defined by Section 109C of the Environmental Planning & Assessment Act 1979.

6. Separate approval is required for any ancillary activity not approved by this consent, including, without limitation, the erection of any advertising sign not being exempt development.
7. It is necessary to obtain a Construction Certificate (prior to construction of the approved development). A Construction Certificate may be issued either by Council or an appropriately accredited certifier. A separate application, complete with detailed plans and specifications, must be made for the Construction Certificate.

## **PRE-CONSTRUCTION CERTIFICATE MATTERS**

### **Preamble**

8. **The following conditions in this section of the consent must be complied with or addressed prior to the issue of any Construction Certificate relating to the approved development, whether by Council or an appropriately accredited certifier. In many cases the conditions require certain details to be included with or incorporated in the detailed plans and specifications which accompany the Construction Certificate.**
9. Prior to the issue of a construction certificate the following must be submitted to the Council or an appropriately accredited certifier:
  - (a) Details of the location of the decommissioning pit for vehicles, together with particulars of the size of the pit and the appropriate environmental safeguards and stormwater control.
  - (b) Details of external materials to be used on the waste enclosure. This is to include coloured samples in brochure form.
  - (c) Details of the location of the wheel wash and shaker pads together with particulars of the design, wash water recovery and sediment removal.
  - (d) Details of the design features of the Metal Recycling Facility which will prevent the emission and/or ejection of metal debris/dust fines and projectiles, including, without limitation, full manufacturer's details of the Metal Recycling Facility and all of its components (including engineering drawings and design specifications) particularly those which are designed for the purpose of minimising and containing explosions and the emission of projectiles, ensuring compliance with noise levels and controlling operational hazards.
  - (e) Details of dust suppression and monitoring measures to be implemented during construction of the Metal Recycling Facility to achieve ambient air quality levels in accordance with the EPA Guidelines for Ambient Air Quality in respect of suspended particulate matter and dust deposition when measured at residential receptors.

- (f) **DELETED.**
- (g) The following additional detail regarding landscaping:
  - (i) Works required to ensure the stabilisation of any exposed soil areas.
  - (ii) Measures designed to ensure the survival of vegetation.
  - (iii) Provision for the planting of a combination of 35 litre, 75 litre, and 100 litre trees. All shrubs to be planted are to have minimum pot sizes of 200mm.
  - (iv) Details of the shade cloth to be erected on the Site, including, without limitation, the location, size and method of erection of the shade cloth. Shade cloths are to be used to augment the perimeter wall and fencing.
  - (v) Dense climber planting which is to be established along the entire length of the northern side of the 4.0m high wall.
- (h) An Erosion and Sediment Control Plan ("ESCP") as required by condition 0.3.1 of the EPA's General Terms of Approval for the Site (attachment "B" of this consent). The ESCP must be prepared in accordance with Council's Soil Erosion and Sediment Control Policy and the state government's guidelines entitled Managing Urban Stormwater: Soils and Construction (Department of Housing). The ESCP must incorporate (without being limited to) plans and details of the proposed measures and information on general Site management, material handling practices, soil stabilisation, water control, stormwater pollution control, wind erosion control and access protection measures during the construction and operation of the development.
- (i) Stormwater pollution control works, as part of the ESCP, shall be designed to the following standards in the 75th percentile, 5-day storm depth:
  - (a) throughout the construction phase, achieve stormwater discharges of less than 50 milligrams per litre total suspended solids;
  - (b) in the post construction, the site is to be operated to prevent pollution of receiving of waters (Breakfast Creek), in accordance with the provisions of the Protection of the Environment Operations Act 1997.
- (j) **DELETED.**
- (k) **DELETED.**
- (l) **DELETED.**

**Site Works and Drainage**

**10. DELETED.**

**Services**

11. Information regarding the location of underground services may be obtained from the Sydney "Dial Before You Dig" service, telephone number 1100, fax number (02) 9806 0777. Enquirers should provide the street/road name and number, side of street/road and the nearest cross street/road.
12. The applicant is advised to consult with:
- (a) Sydney Water Corporation Limited
  - (b) Integral Energy
  - (c) Natural Gas Company
  - (d) The relevant local telecommunications carrier

regarding their requirements for the provision of services to the development and the location of existing services that may be affected by proposed works, either on Site or on the adjacent public road(s). All approved building construction plans will need to be submitted to and stamped by Sydney Water Corporation Limited as an indication that they comply with the Corporation's requirements. Sydney Water Corporation Limited may also require the applicant to obtain a Trade Waste Approval as part of the operation of the approved development. Enquiries should be made of the Corporation's requirements for the eventual operation of the approved use.

**Suburb Name**

13. The land the subject of this consent is known to be located in the following suburb. This suburb name is to be used for all correspondence and property transactions:  
Suburb: BLACKTOWN
14. Any advertising of land sales in association with the approved development shall clearly indicate that the development is located in the following suburb. No other estate names are to be used in any advertisements or other promotional information:  
Suburb: BLACKTOWN

**Other Fees and Security Deposits**

15. The following fee must be paid to Council's Maintenance Section pursuant to Sections 608 and 609 of the Local Government Act 1993. The fee is subject to periodic review and may vary at actual time of payment.
- (a) Vehicle Crossing Application and Inspection Fee: \$176

16. Prior to the issue of a Construction Certificate, whether by Council or an appropriately accredited certifier, the following fee and bond are to be paid to Council. The fee and bond are subject to periodic review and may vary at actual time of payment.

**Road inspection fee:** \$113  
**Road maintenance bond:** \$4776

#### **Consistency with Approved Development Plans**

17. Any Construction Certificate that may be issued in association with this development consent must ensure that any certified plans and designs are generally consistent (in terms of Site layout, Site levels, building location, size, external configuration and appearance) with the approved Development Application plans and in accordance with the conditions of the consent.

#### **Compliance with Development Control Plan 1992**

18. Except as otherwise approved, the design plans which accompany the Construction Certificate are to comply with the design criteria specified in Council's Development Control Plan 1992, Parts A and E.

#### **Services and Service Authorities' Clearances**

19. The following documentary evidence, if required, is to be obtained prior to the issue of any Construction Certificate.
- (a) A Section 73 Certificate issued by the Sydney Water Corporation Limited or other evidence from the Urban Development Branch at the relevant Sydney Water Business Centre confirming that the Corporation does not object to the commencement of work on the basis of service availability.
  - (b) A written clearance from Integral Energy, stating that electrical services have been made available to the development or that arrangements have been entered into for the provision of services to the development.

#### **Compliance with Building Code of Australia**

20. All aspects of the building design shall comply with the applicable performance requirements of the *Building Code of Australia* so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the ongoing benefit of the community. Compliance with the performance requirements can only be achieved by:
- (a) Complying with the deemed to satisfy provisions, or
  - (b) Formulating an alternative solution which :

- (i) complies with the performance requirements, or
- (ii) is shown to be at least equivalent to the deemed to satisfy provision, or
- (c) A combination of (a) and (b).

### **Required Design Specification**

- 21. All engineering works required by Part A must be designed and undertaken in accordance with the relevant aspects of the following documents, except as otherwise authorised by this consent:
  - (a) Blacktown City Council's Works Specification - Civil (Current Version)
  - (b) Blacktown City Council's Engineering Guide for Development (Current Version)

### **Content and Type of Construction Certificate**

- 22. Any Construction Certificate issued in relation to this consent shall incorporate and address the design of those works required by Part A of this consent and any ancillary works necessary to make the construction effective.

### **Hydrocarbon Tank**

- 23. All licences and approvals required by the NSW WorkCover Authority, the NSW Fire Brigade and the EPA will be obtained in respect of the 5000L hydrocarbon tank prior to its commissioning.

## **PRIOR TO COMMENCEMENT OF CONSTRUCTION WORK**

### **Notification to Council**

- 24. At least 2 days prior to work commencing on the Site, Council must be informed, by the submission of Form 7 of the *Environmental Planning & Assessment Regulation 1994*, of the name and details of the Principal Certifying Authority (if applicable) and the date upon which the construction work is proposed to commence.

### **Toilet Facilities**

- 25. Toilet facilities are to be provided, at or in the vicinity of the work Site on which work involved in the erection or demolition of a building is being carried out, at the rate of 1 toilet for every 20 persons or part of 20 persons employed at the Site.

Each toilet provided:

- (a) must be a standard flushing toilet, and

- (b) must be connected:
  - (i) to a public sewer, or
  - (ii) if connection to a public sewer is not practicable, to an accredited sewage management facility approved by the Council, or
  - (iii) if connection to a public sewer or an accredited sewage management facility is not practicable, to some other sewage management facility approved by the Council.

The provision of toilet facilities in accordance with this condition must be completed before any other work is commenced.

### **Signs on Building and Demolition Sites**

26. A sign must be erected in a prominent position on part of the Site on which the erection or demolition of a building is being carried out:
- (a) stating that unauthorised entry to the work Site is prohibited, and
  - (b) showing the name of the person in charge of the work and a telephone number at which that person may be contacted outside working hours.

This condition does not apply to:

- (a) building work carried out inside an existing building, or
- (b) building work carried out on premises that are to be occupied continuously (both during and outside working hours) while the work is being carried out.

### **Soil Erosion and Sedimentation Control**

27. All measures specified in the ESCP and the Construction Certificate to control soil erosion and sedimentation are to be installed prior to the commencement of construction works. Infringement Notices, incurring a monetary penalty, may be issued by Council where measures are not implemented or maintained.
28. To prevent sediment being removed from the Site on construction vehicles during the construction of the approved development, a portable wheelwash or similar device for cleaning truck wheels shall be installed at the exit point from the Site.
29. **DELETED.**
30. Structural details of all retaining walls, prepared and/or certified by a professional engineer or other appropriately qualified person, shall be lodged with Council prior to commencement or construction of any retaining wall.

### **Waste Disposal**

31. For the purposes of effective off Site waste management, waste building materials and excavated soil wastes/fill materials must be disposed of to approved waste disposal depots or to licensed landfill sites.
32. Receipts from the licensed landfills or waste depots in respect of waste disposed of in accordance with Condition 38 must be submitted to the Council within 14 days of the disposal of the waste.

### **DURING CONSTRUCTION**

#### **Compliance with the Building Code of Australia**

33. All building work must be carried out in accordance with the provisions of the *Building Code of Australia*.

#### **Demolition**

34. Demolition of the office building on the Northern part of the Site must be in accordance with the requirements of the Blacktown City Council Local Approvals Policy.

#### **Noise Control**

35. The hours of work for any construction work which generates noise are 7am to 5pm, Mondays to Fridays and 7am to 3pm Saturdays inclusive, with no such work to be conducted at any time on a Sunday or Public Holidays.
36. Any noise generated during the construction of the development shall not exceed 48dB(A)  $L_{10}$  at all residences.

#### **Dust**

37. Dust suppression and monitoring measures must be implemented to ensure that ambient air quality levels are in accordance with the EPA Guidelines for Ambient Air Quality in respect of suspended particulate matter and dust deposition when measured at the boundaries of the Site. This monitoring should at least include 30 day dust deposition [maximum dust deposition not to exceed 2 grams per square metre per month ( $2 \text{ g/m}^2/\text{mth}$ ) above background to a maximum of  $4 \text{ g/m}^2/\text{mth}$  total solids].

#### **Construction Inspections**

38. Compliance Certificates may be issued for the following applicable stages of the building construction:

	Stage	Nominated Work
(i)	Footing system -	placing concrete or covering.
(ii)	Stormwater drainage -	covering or backfilling.
(iii)	Completion -	occupation or use.

**Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the *Building Code of Australia* and any other condition of this consent.**

39. Any Compliance Certificate issued for the above stages of construction shall certify that all relevant ancillary or dependent work has been undertaken in accordance with the *Building Code of Australia* and any other condition of this consent.
40. Any additional Council inspection, beyond the scope of any Compliance Certificate package and which is required to verify the compliance of any work, will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

#### **Building Materials and Wastes**

41. Building and construction materials, plant and equipment are not to be placed or stored at any time on Council's footpath or roadway.
42. Suitable and effective builder's refuse and waste storage facilities are to be provided on the Site for the duration of construction works.
43. Roads adjoining the Site must be kept clean and free of materials excavated or transported from the Site.

#### **Car Parking and Access**

44. All required internal roads and car parking spaces are to be line-marked, sealed with a hard standing, all-weather material and maintained to a satisfactory useable standard.
45. All internal roads and other paved areas are to be graded to provide continuous surface drainage flow paths to approved points of discharge.
46. Entrance/exit points are to be clearly signposted and visible from both the street and the Site at all times.
47. Access to and parking for persons with disabilities is to be provided in accordance with Australian Standard 2890.1-1993.

#### **Tree Protection and Landscaping**

48. Barriers, tree guards and other measures employed to protect existing trees on Site are to be effectively maintained for the duration of construction works.

49. All landscaping is to be undertaken in accordance with approved plans/details. All turfed areas are to finish level with adjoining surfaces and shall fall evenly to approved points of drainage discharge.

50. **DELETED.**

**Ancillary Works**

51. The following ancillary works shall be undertaken, where required:
- (a) the relocation of underground services where required by the positioning of new drainage and road infrastructure.
  - (b) the relocation of above ground power and telephone services.
  - (c) the matching of new infrastructure into existing or future designed infrastructure.

**Public Safety**

52. All works undertaken in a public place are to be maintained in a safe condition at all times. Council may at any time and without prior notification make safe any such works Council considers to be unsafe, and recover all reasonable costs incurred from the applicant.

**Environmental Management**

53. An Environmental Management Plan ("EMP") which addresses the following matters is to be prepared in respect of development on the Site and provided to Council 3 months prior to the commencement of operations associated with the Metal Recycling Facility:
- (a) Environmental management procedures required to ensure compliance with the Protection of the Environment Operations Act 1997, the Waste Minimisation and Management Act 1995, the Dangerous Goods Act 1975, the Contaminated Land Management Act 1997 and the Rivers and Foreshores Improvement Act 1948 and all associated Regulations (and all Acts which amend, repeal or supplement this legislation).
  - (b) Responsibility of all employees of the Metal Recycling Facility in relation to prevention of pollution and training requirements (including, without limitation, the prevention of explosions, fires and the pollution of water, soil and air);
  - (c) Remediation of contaminated soil and water on the Site (including groundwater) in accordance with condition 64;

- (d) The storage and handling of all waste either brought onto the Site or generated as part of the development (including, without limitation, details of the lawful off-site disposal of all waste);
- (e) Procedures to prevent pollution of air, surface and ground water and soil;
- (f) Response procedures and preventative measures in relation to pollution incidents;
- (g) Compliance with the ESCP required as part of this consent, including without limitation, information in respect of the following matters:
  - (i) How the Sedimentation Pond will have sufficient capacity to service all development on the Site (including details of a maintenance schedule to ensure the regular removal of sediment from the Pond)
  - (ii) Details of how the sediment will be removed from the Pond
  - (iii) An assessment of the potential for hydraulic connectivity between the Sedimentation Pond and groundwater
  - (iv) Plans showing the lining of the Sedimentation Pond.
- (h) The storage and handling of dangerous goods in accordance with the Dangerous Goods Act 1975, all associated regulations and the requirements of the NSW WorkCover Authority including without limitation the removal of volatile, explosive and hazardous materials from the feedstock; the triple rinsing of tanks and the removal of tanks from cars.
- (i) The minimisation of the emission of noise and vibration to ensure compliance with the conditions of this consent;
- (j) The establishment and implementation of a complaints register at all times;
- (k) Details of an emergency evacuation plan.

#### **Soil Contamination**

54. All contaminated soil and other contaminated material excavated from the Site as part of the development must be removed from the Site and disposed of by a licensed contractor at a facility licensed under the Waste Minimisation and Management Act 1995. A report is to be prepared by a suitably qualified consultant detailing the contamination remediation measures required as part of the proposed excavation/construction works. Council may require remediation works and or removal of the soil and or groundwater, depending on the report's recommendations. Following this, an independent validation of the remediation works by an environmental consultant will be required and a report submitted to Council.

## **PRIOR TO ISSUE OF OCCUPATION CERTIFICATE**

### **Road Damage**

55. The cost of repairing any damage caused to Council's assets in the vicinity of the subject Site as a result of construction works associated with the approved development is to be met in full by the applicant/developer prior to the issue of an Occupation Certificate. Should the cost of damage repair work not exceed the road maintenance bond (see Part A of this consent) Council will automatically call up the bond to recover its costs. Should the repair costs exceed the bond amount a separate invoice will be issued to the applicant/developer in respect of these works.

### **Removal of Temporary Facilities**

56. Any temporary toilet facilities provided during construction works are to be appropriately dismantled, disconnected and removed from the Site.
57. All temporary builder's signs or other Site information signs are to be removed upon the completion of Site works.
58. All temporary soil erosion controls employed during construction are to be removed and other permanent measures in accordance with the ESCP are to be implemented prior to the use or occupation of the development.

### **Works-As-Executed Plans**

59. A work-as-executed plan (to a standard suitable for microfilming) prepared by a Chartered Professional Engineer or a Registered Surveyor must be lodged with Blacktown City Council when the engineering works (bulk earthworks) are complete.

### **Service Authorities**

60. The applicant is to obtain a Trade Waste Approval from the Sydney Water Corporation Limited in relation to any discharges to the Corporation's sewerage system.
61. A final clearance is to be obtained from both Integral Energy and the Sydney Water Corporation if such clearance (in the form of a Notification of Arrangement or a Section 73 Certificate) has not previously been issued.

### **Discharges to Water**

62. **DELETED.**

63. As the premises is a "Scheduled Premises" within the meaning of the Protection of the Environment Operations Act, 1997, an application for an environmental licence shall be made to the EPA. A copy of the licence is to be submitted to Council prior to the issue of the Occupation Certificate.

**Fire Safety**

64. The development must comply with the requirements of the NSW Fire Brigades including but not limited to the following:
- (a) The hydrant system is to be extended to control and extinguish any fires.
  - (b) Details of how contaminated fire water is to be contained are to be provided to the Council.
  - (c) Clear, unhindered access is to be provided at all times for the NSW Fire Brigades vehicles at all times.
  - (d) At least a 1.0m clear access is to be provided between stockpiles and the Metal Recycling Facility and its components in the event of a fire hazard.
  - (e) **DELETED.**

65. A copy of the Stormwater/Management Scheme required by Condition O4.1 of the EPA's General Terms of Approval (held at Attachment "B" of this consent) shall be provided to Council prior to the issue of the Occupation Certificate.

**OPERATIONAL MATTERS**

**Compliance with the general terms of approval of the EPA and DLWC**

66. The development must be carried out in accordance with the general terms of approval of the EPA and the DLWC which are annexed and marked "A" and "B" respectively, as amended by the conditions of this consent. A copy of all reports and information required to be submitted to the EPA and DLWC, must be submitted to the Council contemporaneously.

**Hours of operation**

67. The hours of operation of activities associated with the Metal Recycling Facility shall not be outside of the following nominated times:

Approved hours of operation:	Monday to Friday:	7.00am - 5.00pm
	Saturday:	7.00am - 3.00pm

No activities are to be conducted on the Site on Sundays or Public Holidays.

**Restrictions on volumes of raw and processed materials**

68. No more than 60,000 tonnes of raw scrap metal can be processed in the Metal Recycling Facility in any one year. The 60,000 tonne limit is inclusive of all material to be processed in the hammermill (including, without limitation, car bodies).
69. The only raw materials that can be processed in the hammermill facility is general metal scrap which contains no volatile or potentially explosive substances (including, without limitation, petrol tanks).
70. Each year, car bodies may comprise no more than 10% of raw material processed in the Metal Recycling Facility.
71. Each year, car bodies which are to be processed in the Metal Recycling Facility shall not comprise in excess of 10% of the raw materials stored on the Northern part of the Site.

**Restriction on storage of materials**

72. Car bodies which are to be processed in the Metal Recycling Facility must not be stored on the Southern part of the Site.
73. No goods, materials or trade wastes are to be stored at any time outside the building on either the internal vehicular driveway, car parking area, landscaping, footpath or other than in approved garbage receptacles.

**Car parking and traffic**

74. A minimum of 20 carparking spaces in total are to be provided on Site, each having minimum dimensions as follows:
  - (a) uncovered - 2.5m x 5.2m;
  - (b) parking for plant equipment - appropriately signposted, and linemarked;
  - (c) widen the entry driveway to 6.5 metres carriageway plus at least 300mm clearance to any structure;
  - (d) the queuing area is to be appropriately sign posted.
75. The internal driveway and parking areas are to be designed in accordance with Australian Standard 2890.1.
76. Soil and other material must not be deposited on roads adjoining the Site by vehicles entering or leaving the Site.

**Enclosure of the Metal Recycling Facility**

**77. DELETED.**

**Requirement to keep records**

78. Records must be kept of all scrap metal, including car bodies received for processing in the Metal Recycling Facility. In addition to the volumetric records from the vehicle weighbridges on the Site, records must be kept which particularise the type of scrap received, and the date on which it was received. These records must be made available to the Council officers for inspection annually following the commencement of the operation of the Metal Recycling Facility.

**Video monitoring**

79. Video surveillance equipment must be installed to record all raw material as it enters the Metal Recycling Facility.
80. Video recordings are to be on a "continuous tape" basis whereby the tape is retained in the event of an explosion or fire.
81. All video recording is to be kept for a period of 90 days except in the event of an explosion or fire in which case the video recording must be retained for 5 years and provided to the Council and the EPA upon request.

**Inspection procedure**

82. Prior to the commencement of the operation of the Metal Recycling Facility, an inspection procedure plan must be submitted to the Council detailing the following:
- (a) How the type and tonnage of all scrap material (including car bodies) received each month for processing in the Metal Recycling Facility will be recorded;
  - (b) Inspection procedures to ensure that no volatile substance is processed in the Metal Recycling Facility;
  - (c) The installation of video monitoring equipment in accordance with the conditions of this consent;
  - (d) The keeping of written records of all materials which are received at the Site and processed in the Metal Recycling Facility;
  - (e) Procedures to be undertaken for:
    - (i) the safe removal from the Site of any explosive or volatile substance received at the Site:

- (ii) the decommissioning of vehicles including, without limitation, details of the mechanisms for removal and draining of petrol tanks; and
- (iii) the removal, storage and disposal of petrol, oil and all other fuels, fluids and substances removed from raw material received at the Site.

83. The development must be carried out in accordance with the inspection plan required to be submitted pursuant to condition 82.

**Projectiles**

84. No projectiles of any kind will be discharged from the Metal Recycling Facility.

**Explosion prevention**

85. No crushed cars can be received on the Site for processing in the Metal Recycling Facility except those vehicles inspected, treated and crushed by Sell & Parker.
86. All petrol tanks and LPG gas tanks must be manually removed from cars prior to the car being processing in the Metal Recycling Facility. Petrol tanks shall not be removed by way of a grab crane or any other mechanical device.
87. All petrol tanks must be drained of fuel and triple rinsed with water.
88. Petrol tanks removed from vehicles on Site must be stored in a separately bunded area in accordance with the requirements of the EMP referred to at condition 53.
89. Petrol tanks, LPG tanks, pressurised tanks or any tanks containing volatile substances shall not be processed in the Metal Recycling Facility.
90. All cars received on the Site will be separately stockpiled in the raw material stockpile area. Sufficient distances must be maintained between stockpiles of cars and other raw materials to allow Fire Brigade access in the event of a fire in either stockpile.
91. A separately bunded area will be provided for the purpose of draining of vehicle fuel tanks. This bunded area shall be located at a safe distance from the raw material stockpile area in accordance with the requirements of WorkCover NSW and the EPA. This bunded area shall not be located on the Southern part of the Site.
92. The bunded area referred to at condition 91 shall be roofed sufficiently to prevent the entry of stormwater into the bunded area. The design, construction and operation of the bunded area shall be in accordance with the EMP referred to at condition 53.
93. All LPG tanks, pressurised tanks or any tanks containing volatile substances removed from cars or any material that enters the Site must be placed in a separately bunded area and removed from the Site in accordance with the requirements of the EMP.

94. No material that may, either individually or in combination with another substance, cause an explosion if processed in the Metal Recycling Facility shall be processed in the Metal Recycling Facility.
95. A sign must be erected at the entrance way to the Site stipulating that the following substances must not be brought on to the Site:
- (a) Flammable substances;
  - (b) Asbestos;
  - (c) Explosives;
  - (d) Radioactive materials;
  - (e) Toxic materials;
  - (f) Infectious materials.
96. All pressurised vessels received at the Site, including without limitation, LPG, butane and propane, shall be stored in accordance with the requirements of the Dangerous Goods Act 1975; the Dangerous Goods (General) Regulation 1999; the Occupational Health and Safety Act 1983; the Factories Shops and Industries Act 1962; the Workplace Injury Management and Workers' Compensation Act 1998; the Workers' Compensation Act 1987 and all associated Regulations (and all Acts which amend, repeal or supplement this legislation).
97. All decommissioned vehicles are to be kept in a separate storage area from vehicles which have not been decommissioned. Clear signage is to be erected on the Site distinguishing the separate storage areas.
98. All raw materials and processed materials are to be stored in separate storage areas at all times. Clear signage is to be erected on the Site distinguishing the separate storage areas.

**Dust explosions**

99. The water injection system in the Metal Recycling Facility is to be operational at all times that the metal recycling facility is in operation.

**Noise**

100. The noise amelioration works identified in all approved drawings and the EIS (as amended by these conditions) must be implemented and maintained.
101. Noise at the Site boundary of the premises must not exceed an  $L_{A10(15\text{minute})}$  noise emission criterion of 70dB(A).

102. Noise from all activities on the Site is to be measured on the adjoining premises within one metre of the boundary to determine compliance with condition 101.
103. The  $L_{10}$  residential noise boundary contribution from operations on the Site under isothermal conditions shall not exceed 50dB(A) at Sunnyholt Road and 44dB(A) at Camorta Close.
104. Within 90 days of the commencement of the development, noise measurements must be carried out showing compliance with the noise limits required pursuant to this consent. The results of the tests must be submitted to the EPA and the Council within 14 days of the tests being carried out.
105. If the noise measurements submitted to Council pursuant to condition 104 show a failure to comply with the noise limits at conditions 101 and 103, a noise mitigation plan must be submitted to the Council within 28 days of the submission of the noise measurements in accordance with condition 101 and 103. The noise mitigation plan must identify how compliance with these conditions will be achieved.

#### **Overpressure**

106. All air blast over pressure levels resulting from activities during the operation of the Metal Recycling Facility, including without limitation, explosions, must not exceed 120dBLin(peak hold) when measured at any boundary of the Site.
107. An air blast over pressure monitor must be installed at the boundary of the Site.
108. Records of all air blast pressure measurements in excess of 120dBLin (peak hold) must be submitted to Council in writing every 30 days following the commencement of the operation of the metal recycling facility. Information in relation to the cause, date and time of all air blast pressure measurements must be included in this report.
109. In the event that air blast over pressure levels from the operation of the Metal Recycling Facility exceed 120dBLin (peak hold), a plan of management must be submitted to the EPA and the Council within 14 days identifying how compliance with the maximum permissible air blast over pressure level will be achieved.
110. The over pressure monitoring system must be capable of measuring and reporting to a limit not less than 165dB(Lin).

#### **Soil and Water Management**

111. Soil and water management measures identified in the ESCP must be introduced and be effectively maintained to the satisfaction of the Council. Plans and details of the proposed measures must be submitted to the certifying authority with any application for a construction certificate. The plans should describe procedures for erosion control, surface and subsurface drainage and stabilisation structures as well as a schedule for any necessary phasing of these works.

### **Dust Suppression**

- 112. A dry sweeper incorporating a vacuum extraction system is to be used to remove dust and other particles from the sealed traffic areas of the operation.
- 113. **DELETED.**
- 114. In periods of high wind (>8 metres per second), it will be necessary to reprogram dust generating activities which cannot be adequately controlled by water or other means and may cause nuisance to people or property.
- 115. During operation of the proposed metal recycling facility operations an air quality monitoring network must be established to the satisfaction of EPA and Council. This monitoring should at least include 30 day dust deposition [maximum dust deposition not to exceed 2 grams per square metre per month ( $\text{g/m}^2\text{mth}$ ) above background to a maximum of 4  $\text{g/m}^2\text{mth}$  total solids].

### **Car Parking and Access**

- 116. All car parking spaces and internal roads shall be properly maintained and in a condition which is free of dust.
- 117. **DELETED.**
- 118. All vehicles are to enter and leave the Site in a forward direction, and all on-Site traffic is to be one-way. Appropriate directional signage is to be erected and kept in a well-maintained condition and should be clearly visible.
- 119. Both driveways shall be widened to 8.0m for at least the first 10.0m measured from the kerbline of Tattersall Road, with the addition of a 4.0m radius kerb return on the inside of each driveway (one side only).
- 120. The exit driveway is to be at least 6.0m sealed width, with additional side clearances for at least 0.3m.
- 121. A directional control signposting system must be installed to the satisfaction of Council.
- 122. Raw material stockpiles are not to be any closer than 30m from the northern kerb of the weighbridge access road or any location where the stockpiled material would affect the proposed circulation system, with stockpiling also to not prevent vehicular access to the material stockpile.
- 123. Signs shall be erected to prevent drivers entering the Site by way of the exit driveway.

124. A dynamic sign to be placed on the entry driveway approximately 110 metres from the front boundary of the Site. The sign shall direct drivers to the first available vacant weighbridge.
125. All loading and unloading operations are to take place at all times wholly within the confines of the Site.
126. No vehicles are to queue on Tattersall Road in connection with deliveries of material to the Site.
- 126A. **DELETED.**

#### **Hydrocarbon Tank**

127. The installation of the 5000L hydrocarbon tank referred to at Figure 2.3 of the EIS will be certified by an appropriately qualified environmental engineer.

#### **Landscape Maintenance**

128. All landscaped areas are to be maintained at all times in a suitable manner.

#### **Use of Premises**

129. The use of the approved development shall, at all times, be conducted in a manner consistent with the terms and conditions of this consent.

#### **Emergency Procedures**

130. Instructions concerning procedures to be adopted in the event of an emergency are to be clearly displayed on the premises for both public and staff information at all times to the satisfaction of Council, prior to commencement of the use.
131. **DELETED.**

#### **Other Matters**

132. A maximum of 6 skip bins are permitted to be kept on the Northern part of the Site and are to be stored on the location shown on the approved plans at all times.
133. A separate storage area which is bunded is to be provided for the storage of hazardous materials. This area will be maintained in accordance with the requirements of the New South Wales WorkCover Authority and the Dangerous Goods Act 1975 and all associated regulations.
134. All metal cutting/grinding activities are to be undertaken at a safe distance from any dangerous goods stored on the Site and comply with the requirements of the New South Wales WorkCover Authority and the Dangerous Goods Act 1975 and all

associated regulations.

135. Unhindered access for all service/trade waste vehicles is to be maintained at all times. In particular, this applies to the waste enclosure on the north-western part of the Site, and the dangerous goods storage area.
136. The 4.0m high wall and all fencing is to be maintained in a satisfactory manner. No advertising is permitted on the wall fronting Tattersall Road.
137. No stockpile on the Northern portion of the premises is to exceed 7.0m in height. Permanent markings are to be placed on the inner side of the wall along the northern boundary of the premises to Tattersall Road to monitor the height. This marking is to run along the entire wall and be clear and visible at all times.
138. The Metal Recycling Facility and its components are to be provided with the necessary design features which will prevent any fallout of projectiles and/or debris. These features are to be employed at all times during the operation of the Metal Recycling Facility. These features are to be kept in a proper working order, and the Metal Recycling Facility is not to be operated without these additional safety measures.
139. A copy of the acoustical report required by condition L3.3 of the NSW Environment Protection Authority's General Terms of Approval (held at Attachment "B" of this consent) is to be provided to Council upon its preparation. Any components not previously identified as a noise source in the EIS are to be assessed. In addition to this, any noise emissions from existing structures or operations on the Site and any impact of this noise or employees working on the Site are to be assessed. A copy of the report detailing the noise mitigation measures are to be submitted to Council.
140. Within 90 days of commissioning of the Metal Recycling Facility a compliance certificate from an accredited acoustic consulting engineer shall be submitted to Council and the EPA setting out the results of monitoring and confirmation of compliance of the boundary criterion and the sound level pressure contribution at residential receivers.
141. Validation reports on the ongoing performance of the water quality control measures shall be provided to Council within six months of commencement of operation of the Metal Recycling Facility. Monitoring data is thereafter to be provided to Council at six-monthly intervals.
142. All plant and equipment powered or propelled by internal combustion or diesel engines used on the Site must be properly maintained to ensure exhaust emissions comply with the Protection of the Environment (Operations) Act.

#### **Nuisance**

143. Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land.

144. If artificial lighting is proposed full details are to be submitted indicating the manner in which adjoining properties are to be protected.
145. If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the *Protection of the Environment Operations Act 1997*.

## **PART A - ENGINEERING WORKS**

### **Drainage Works**

146. Drainage from the Site must be connected into:

(a) the existing Site drainage system.

### **Other Matters**

147. Landscaping Bond – a cash bond or bank guarantee in the sum of \$10,000 is to be lodged with Council to ensure the effective establishment and maintenance of landscaping. The bond or guarantee is to be lodged prior to the release of the Construction Certificate and will be returned on the following basis:

- (a) 50% on completion of landscaping to Council's satisfaction;
- (b) 25% six months after the completion date of the landscaping; subject to Council being satisfied that the maintenance program is proceeding satisfactorily;
- (c) 25% residue to be refunded twelve months after completion, subject to satisfactory maintenance of the landscape area.

148. **DELETED.**

149. **DELETED.**

150. Restoration of Public Roads – restoration of public road and associated works required as a result of the development shall be carried out by Council and all costs shall be paid by the applicant.

151. **DELETED.**

# NOTICE OF DETERMINATION

OF A DEVELOPMENT APPLICATION  
UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)



## APPLICANT

BLH CONSULTING  
C/- SELL & PARKER HOLDINGS P/L  
PO BOX 99  
WATERLOO 2017

Page 1 of 6

DETERMINATION No. 14664

File No. DA-96-305

TN.AR0111.NOV

## PROPERTY DESCRIPTION

1/N 45, LOT 5, DP 7086, TATTERSALL ROAD, KINGS PARK

## DEVELOPMENT

METAL RECYCLING FACILITY

## DETERMINATION

Pursuant to Section 92 of the Act Council advises that the Development Application has been determined by:

- GRANTING OF CONSENT SUBJECT TO THE CONDITIONS ATTACHED ON THE FOLLOWING PAGES

BY DELEGATED AUTHORITY - DIRECTOR, DEVELOPMENT SERVICES

## RIGHT OF APPEAL

SECTION 97 OF THE ACT CONFERS ON AN APPLICANT WHO IS DISSATISFIED WITH THE DETERMINATION OF A CONSENT AUTHORITY A RIGHT OF APPEAL TO THE LAND AND ENVIRONMENT COURT

NOTE: This Consent is generally valid for a period of 5 years effective from the date of this notice unless specified otherwise by Sections 93 and 99 of the Act or by conditions

TERRY McCORMACK  
A/GENERAL MANAGER  
per:

DATE: 27 NOV 1995

Pursuant to Clause 81 of the Environmental Planning and Assessment Regulation 1994, notice of this determination will be published in a newspaper circulating in the local area. In accordance with Section 104A of the Environmental Planning and Assessment Act 1979, any person may question the validity of this consent in legal proceedings commenced in the Land and Environment Court within 3 months of the date of publication of the notice.

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.  
1 4 6 6 4

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 2 of 6

CONDITIONS OF APPROVAL

1. The use or occupation of the approved development shall not commence until such time as all conditions of this development consent have been complied with. The use or occupation of the development prior to compliance with all conditions of development consent may make the applicant/developer liable to legal proceedings.
2. Development is to take place in accordance with the following drawings subject to compliance with any other conditions of this consent.

Drawing No.	Dated	Council's File Encl. No
N00699-C-01	30.8.96	26G
(Civil Works - Concepts)		
96.031.2/2	30.7.96	16D
(Section Through Yard)		
96.031.1/2	28.5.96	15A
(Site Plans & Floor Plans)		
96.031.1	27.8.96	34B
(Site Plans & Floor Plans Also Incorporating Dust Suppression Details)		

NOTE: The abovementioned Civil Works concept plan, and site plans and floor plans shall be amended on the building application to show a minimum scaled dimension of 50m from the "truck ring road" surrounding the facility and the Irrigation pump shed to the top of the Breakfast Creek bank.

NOTE: The applicant/developer shall also comply with the dust suppression report prepared by "Hydro-plan", dated 28th August, 1996 and entitled "Preliminary Technical Report - Automatic Pumping and Spray Irrigation System for Dust Suppression for Open Scrap Metal Yard Section of 45 Tattersall Road, Blacktown" at Council's file enclosure 34A.

3. Compliance with the following building requirements:
  - A. The submission of a Building Application complying with existing the Local Government Act, 1993 (also to include details of building demolition).
  - B. No approval for advertising signs is given by this consent and a separate application is to be made and Council's approval obtained prior to the erection of any signs.

TNAR0111.NOV

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

TERRY McCORMACK  
A/GENERAL MANAGER

per:

DATE: 27 NOV 1996

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.

1 4 6 6 4

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 3 of 6

CONDITIONS OF APPROVAL

- C. A proposed erosion and sedimentation control plan shall be submitted with the Building Application. ✓
- D. Submission of an hydraulics layout for the existing building including water supply, sewerage service and roofwater drainage and the correction of any defects or encroachments to the satisfaction of the Director, Development Services. ✓
4. Compliance with the following engineering requirements at Attachment "A". ✓
5. A Section 73 Certificate issued by the Sydney Water Corporation Limited is to be submitted with the required Building Application. Approved building plans will not be released until this certificate has been submitted. ✓
6. Compliance with the requirements of :  
A. NSW Environment Protection Authority; ✓  
B. Integral Energy; ✓  
C. Telstra; ✓  
\*D. Hawkesbury Nepean River Catchment Management Trust; and ✓  
\*E. Department of Land & Water Conservation. ✓
- Provision Area?*

**NOTE:** See Attachment "A" Condition H to this consent.

7. Car Parking and Access

- A. 10 off street car parking spaces are to be provided on site. ✓
- B. Each right angle car parking space is to be a minimum of 5.2 x 2.5m. ✓
- C. All car parking spaces are to be line-marked and sealed with a hard standing all weather material, and maintained to the satisfaction of Council's Director, Development Services. ✓
- D. All internal roads shall be constructed of hard standing, all-weather material and shall be maintained to the satisfaction of Council at all times. ✓
- E. All carparking spaces and internal roadways, storage and manoeuvring areas shall be kept in a dust free manner at all times. ✓
8. Off street car parking is to be encouraged by the placement of prominent signs indicating its availability. ✓
9. Entrance/exit points are to be clearly signposted and visible from both the street and the site at all times. ✓

TN-AR0111.NOV

These conditions are imposed for the following reasons:

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TERRY McCORMACK  
A/GENERAL MANAGER

per

DATE: 27 NOV 1996

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.  
1 4 6 6 4

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 4 of 6

CONDITIONS OF APPROVAL

10. All loading and unloading operations are to take place at all times wholly within the confines of the site. ✓
11. Landscaping
- A. Separate detailed landscaping plans are to be submitted to and approved by Council. ✓
  - B. Landscaping is to extend along the entire western and eastern boundaries of the subject site to a minimum width of 3m, and also across the full Tattersall Road frontage of the site. ✓
  - C. A minimum 3m wide densely landscaped area shall be created immediately to the north of the proposed office and carparking area, extending in each direction to the trucking road.
  - D. There shall be a minimum of 50m distance from the top of the existing Breakfast Creek bank to the truck ring road and proposed irrigation pumping shed. This 50m distance shall be heavily landscaped and all details of landscaping should be prepared by a qualified landscape architect to the satisfaction of Council's Landscape Architect. Approved building plans will not be released until Council's Landscape Architect is satisfied with those plans. ✓
  - E. Such landscaping is to include suitable species (including ground covers, shrubs and trees) which, at maturity, will provide a dense screen of vegetation at least 10 m high, along the southern, eastern and western site boundaries of the site, and in front of the proposed office and parking. In this regard, advanced, fast growing tree species should be planted. Landscaping plans should include details of species and common name, mature growth height and estimated growth time. ✓
  - F. Landscaping is to be completed to the satisfaction of the Director, Development Services prior to the use or occupation of the development and is to be maintained at all times to the satisfaction of the Director, Development Services. ✓
12. No filling or earthworks carried out on the site shall interfere with the existing natural drainage system unless approved by Council. ✓
13. That part of the site shown upon the approved drawings as not being related to the metal recycling facility shall not be redeveloped without the prior consent of Council. ✓
14. Spillage of light, if any, shall be controlled so as not to cause nuisance to the amenity of adjoining land. ✓

TN.AR0111.NOV

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

TERRY McCORMACK  
A/GENERAL MANAGER

per: 

DATE: 27 NOV 1996

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.

14664

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 5 of 6

CONDITIONS OF APPROVAL

15. If an intruder alarm is installed on the premises it shall be fitted with a timing device in accordance with the requirements of the Noise Control Act, 1975. ✓

16. The emission of noise from the site shall not exceed the relevant standards of the NSW Environment Protection Authority (noise as measured at the boundaries of the relevant industrial and nearby residential properties). ✓

17. The hours of operation of the metal recycling facility are limited to: ✓

7a.m. to 5p.m. Monday to Friday

7a.m. to 12 midday on Saturday

Any alterations to these hours would require the separate approval of Council.

18. Site Remediation

Page 12 of the "Stage 2 Environmental Site Investigation" Report prepared by ADI Services refers to approximately 30 m<sup>3</sup> (100 m<sup>2</sup>) of zinc impacted soil, located beneath/around the saw mill building. \*

This zinc impacted soil is to be removed completely from the site and the area validated by an approved consultant to Council's satisfaction prior commencement of the Metal Recycling Facility. to

19. Storage

Scrap metal shall not be stored in mounds of a height exceeding 7.5 m above existing ground level.

In this regard a permanent marker pole showing 2.5 m, 5.0 m x 7.5 m height above ground level is to be erected within the metal storage area so as to be visible from all parts of the storage area. Full details to be provided on the Building Application. ✓

20. In addition to Condition 11C above a screen wall of suitable height is to be erected on both sides of the proposed office, and extending west and east to the truck ring road, to screen the scrap metal piles from Tattersall Road. This wall may form part of the office and could be constructed as a "mock wall". Full details of wall height, materials of construction and external finishes to be submitted with the Building Application. ✓

21. The sheering installation shall be set in the site bedrock and mounted on absorption pads to minimise noise emission. ✓

TNAR0111.NOV

These conditions are imposed for the following reasons:

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TERRY MCCORMACK  
A/GENERAL MANAGER

per

DATE: 27 NOV 1996

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

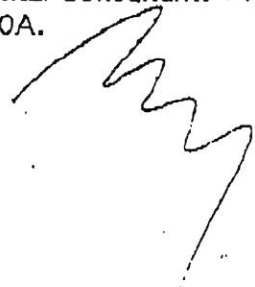
DETERMINATION No.  
14664

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 6 of 6

CONDITIONS OF APPROVAL

22. The development and operation of the metal recycling facility shall generally be carried out in accordance with the Statement of Environmental/Effects prepared by Axis Environmental Consultants Pty Ltd, dated July 1996 and located at Council's file enclosure 10A.
- 

TN\AR0111.NOV

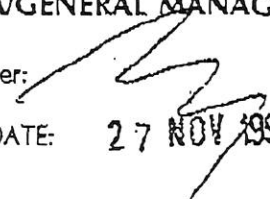
These conditions are imposed for the following reasons:

- (a) To assure compliance with the terms of the relevant Environmental Planning Instruments.
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TERRY McCORMACK  
A/GENERAL MANAGER

per:

DATE: 27 NOV 1996



BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.  
14664

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 1 of 3

ATTACHMENT "A" - ENGINEERING CONDITIONS

- A. The following amount must be paid upon submission of Engineering Plans for approval

Design Checking and Inspection Fee \$414

The amounts mentioned above is valid until 30th June, 1997 after which it is payable at the rate applicable at the time of payment.

- B. Erosion, sediment control and re-vegetation measures must be provided prior to any construction activity and maintained during the construction and maintenance period. Details (which may include a written strategy) must be lodged with the engineering plans.
- C. Existing vegetation must be left undisturbed except where drainage lines and filling works are proposed.
- D. Re-vegetation must be applied to disturbed areas as soon as practical after completion of the earthworks or as directed by Council and must be established prior to Council's final inspection of the engineering works. All open drains must be turfed to the satisfaction of Council's Engineer.
- E. Prior to the commencement of any earthworks the site must be inspected by Council's representative and the applicant's representative to identify and appropriately mark:-
- (i) The trees to be retained.
  - (ii) All areas to be left undisturbed and cordoned off.
- F. Drainage from the site must be connected into Council's existing drainage system to the satisfaction of the Director, Development Services. Details must be submitted to and approved by the Development Services Engineer prior to commencement of building construction/and the construction of the drainage line must be completed prior to commencement of building construction. Where drainage involves the provision of drains across land owned by others evidence of the creation of necessary easements must be lodged with Council prior to release of the building permit.
- G. Details of bank stabilisation and protection measures are to be submitted in conjunction with the engineering plans for approval by Council's Catchment and Drainage Design Section and Development Engineers.
- H. Prior to approval of engineering plans by Council the proposal is to be forwarded to the NSW Environment Protection Authority and the Hawkesbury Nepean River Catchment Management Trust for written comments regarding the proposal, and in particular the operating and design details of the recycled water pond to be used for dust suppression.

see to  
\*pay.

TNAR0211.NOV

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

TERRY McCORMACK  
/GENERAL MANAGER

per

DATE: 27 NOV 1996

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.  
14664

File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 2 of 3

- I. A separate application must be lodged with Council for the construction of the industrial vehicular footway crossing with minimum width of 6.0 metres servicing this development. This application will be subject to payment of the appropriate Crossing Inspection Fee, and inspections arranged through Council's Engineering Clerk on phone 9839.6367. The crossing is to be constructed in accordance with Council Plan A(BS)61S. ✓
- J. Prior to commencement of construction of footway crossings a clearance must be obtained from Telstra and Integral Energy that all necessary ducts have been provided under the proposed crossing. ✓
- K. Finished levels of all internal works at the road boundary of the property must be 4% above the top of the kerb/near edge of the existing concrete path paving. ✓
- L. Redundant gutter crossing must be replaced with integral kerb and gutter. The footway area must be restored by turfing to the satisfaction of the Director, Development Services. ✓
- M. Work required by this Notice MUST NOT be commenced until engineering plans showing full design details have been approved by the Development Services Engineer. Designs must be in accordance with the current edition of Council's "Engineering Development Guide" and works must be in accordance with the current edition of Council's "Works Specification Subdivisions/Developments". Engineering submissions must be accompanied by Form SEA.10, a copy of which can be found in the "Subdivision Guide Engineering". Council's Development Engineers are available for consultation between 10.00am and 12.00noon weekdays. ✓
- N. Seven days written notice must be given of the commencement of the engineering works and must be accompanied by evidence of the contractor's Public Liability and Workers Compensation Insurances. ✓
- O. All Engineering work required by the Director, Development Services MUST be inspected, by Council's Engineering Development Overseer who can be contacted by phoning 9830-9715 between 7.00am & 8.00am or 12.30pm & 1.30pm). 24 hours notice must be given. Fees must be paid prior to contact.
- P. An application for practical completion shall be accompanied by Form SEW20, a copy of which will be sent with the approved engineering plans. A copy can also be found in the "Subdivisions Guide Engineering".

TN.AR0211.NOV

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

TERRY MCCORMACK  
A/GENERAL MANAGER

per:

DATE: 27 NOV 96

BLACKTOWN CITY COUNCIL  
NOTICE OF DETERMINATION  
OF A DEVELOPMENT APPLICATION

DETERMINATION No.  
14664


File No. DA-96-305

UNDER THE ENVIRONMENTAL PLANNING AND  
ASSESSMENT ACT 1979 (SECTION 92)

Page 3 of 3

Q.

A work-as-executed plan (to a standard suitable for microfilming) under the hand of a Chartered Professional Engineer or a Registered Surveyor must be lodged when the engineering works are complete. In addition a certificate in Council's standard format shall be submitted by a Registered Surveyor indicating that all pipelines and associated structures lie wholly within any easements required by the engineering works.



TN.AR0211.NOV

These conditions are imposed for the following reasons:

- (a) To ensure compliance with the terms of the relevant Environmental Planning Instruments.
- (b) To ensure that no injury is caused to the amenity of the area.
- (c) Council considers that the circumstances of the case are such that it is in the public interest that they be imposed.

TERRY McCORMACK  
A/GENERAL MANAGER

per 

DATE: 27 NOV 1996

Annex F

## WorkCover Dangerous Goods Search



WorkCover

WorkCover NSW  
92-100 Donnison Street, Gosford, NSW 2250  
Locked Bag 2906, Lisarow, NSW 2252  
T 02 4321 5000 F 02 4325 4145  
WorkCover Assistance Service 13 10 50  
DX 731 Sydney workcover.nsw.gov.au

Our Ref: D14/075523  
Your Ref: Nathan Hegarty

24 June 2014

Attention: Nathan Hegarty  
Environmental Resources Management Australia Pty Ltd  
PO BOX 5711  
Port Macquarie NSW 2444

Dear Mr Hegarty,

**RE SITE: 45 Tattersall Rd Kings Park NSW**

I refer to your site search request received by WorkCover NSW on 17 June 2014 requesting information on licences to keep dangerous goods for the above site.

Enclosed are copies of the documents that WorkCover NSW holds on Dangerous Goods Licence 35/000935 & 35/034407 relating to the storage of dangerous goods at the above-mentioned premises, as listed on the Stored Chemical Information Database (SCID).

If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely

Brent Jones  
Senior Licensing Officer  
Dangerous Goods Notification Team

Environmental Resources Management Australia	
Referred to:	N11
Ref. No.	
Date received	26-6-14
Checked by:	
Accepted by .....	Date: .....
Project Director / Manager	



WorkCover

WorkCover NSW  
92-100 Donnison Street, Gosford, NSW 2250  
Locked Bag 2906, Lisarow, NSW 2252  
T 02 4321 5000 F 02 4325 4145  
WorkCover Assistance Service 13 10 50  
DX 731 Sydney workcover.nsw.gov.au

Our Ref: D14/075523  
Your Ref: Nathan Hegarty

24 June 2014

Attention: Nathan Hegarty  
Environmental Resources Management Australia Pty Ltd  
PO BOX 5711  
Port Macquarie NSW 2444

Dear Mr Hegarty,

**RE SITE: 23-43 Tattersall Rd Kings Park NSW**

I refer to your site search request received by WorkCover NSW on 17 June 2014 requesting information on licences to keep dangerous goods for the above site.

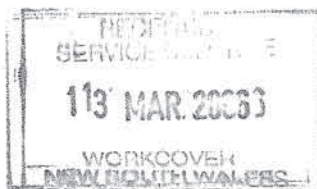
Enclosed are copies of the documents that WorkCover NSW holds on Dangerous Goods Licence 35/005193 relating to the storage of dangerous goods at the above-mentioned premises, as listed on the Stored Chemical Information Database (SCID).

If you have any further queries please contact the Dangerous Goods Licensing Team on (02) 4321 5500.

Yours Sincerely

  
Brent Jones  
Senior Licensing Officer  
Dangerous Goods Notification Team

Environmental Resources Management Australia	
Referred to:	NH
Ref. No.	
Date received	26-6-14
Checked by:	
Accepted by:	..... Date: .....
Project Director / Manager	



## DECLARATION

To be completed where notifiable amounts of Dangerous Goods are not stored.

I CHRISTOPHER COUNTER (name), of SELL & PARKER PTY LTD  
PO BOX 755 MATRAVILLE 2036 (address)  
declare that I do not store and handle Dangerous Goods at premises 35/034407,  
site 45 TATTERSALL RD, BLACKTOWN 2148  
in quantities that exceed or are likely to exceed the manifest quantity in the Table to Schedule 5 of  
the Occupational Health and Safety Regulation 2001.

[Signature] Signature

6.3.06 Date

**SELL AND PARKER PTY. LIMITED**

This declaration is to be returned with your licence to :

WorkCover New South Wales  
Dangerous Goods Notification Team  
LOCKED BAG 2906, LISAROW NSW 2252

WorkCover. **Watching out for you.**

## Dangerous Goods Licensing

ph (02) 4321 5500 fax (02) 9287 5500

Attn: CHRIS COUNTER  
Licensee: SELL & PARKER PTY LIMITED ACN 000 101 315  
P O BOX 755  
MATRAVILLE NSW 2036

### LICENCE FOR THE KEEPING OF DANGEROUS GOODS

ISSUED UNDER AND SUBJECT TO THE PROVISIONS OF THE DANGEROUS GOODS ACT, 1975 AND REGULATIONS THEREUNDER

Licence Number 35/034407 Expiry Date 23/03/2006 No. of Depots 2

Licensee Contact CHRIS COUNTER Ph. 02 9319 2633 Fax. 02 9699 2251

Premises Licensed to Keep Dangerous Goods  
SELL & PARKER PTY LIMITED  
45 TATTERSALL RD BLACKTOWN 2148

Nature of Site METAL AND MINERAL WHOLESALING

Major Supplier of Dangerous Goods LINDE

Emergency Contact for this Site BRIAN DENNIS (A/H: 0417 621 263) Ph. 02 9621 2633

Site staffing 11 HRS 6 DAYS

#### Details of Depots

Depot No.	Depot Type	Goods Stored in Depot	Qty
1	ABOVE-GROUND TANK	Class 2.2	2100 M3
		UN 1073 OXYGEN, REFRIGERATED LIQUID	2100 M3
2	EXEMPT - STORAGE AREA	Class 2.1	90 KG
		UN 1075 PETROLEUM GASES, LIQUEFIED	45 KG
		UN 1075 PETROLEUM GASES, LIQUEFIED	45 KG

31/10/05

= ABOUT  
5000 LT  
ACCORDING  
TO FIVE  
LINDE

PLEASE RETAIN AS PROOF OF LICENCE

Issued by Workcover Authority of New South  
Wales on 2 March 2005

WorkCover. Watching out for you.

WorkCover NSW ABN 77 682 742 966 92-100 Donnison Street Gosford NSW 2250 Locked Bag 2906 Lisarow NSW 2252  
Telephone 02 4321 5000 Facsimile 02 4325 4145 WorkCover Assistance Service 13 10 50  
DX 731 Website [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)



Level 2

WorkCover New South Wales, 400 Kent Street, Sydney 2000. Tel: 9370 5000 Fax: 9370 5999 ALL MAIL TO G.P.O. BOX 5364 SYDNEY 2001

Licence No. 35/034407

**APPLICATION FOR RENEWAL  
OF LICENCE TO KEEP DANGEROUS GOODS**

ISSUED UNDER AND SUBJECT TO THE PROVISIONS OF THE DANGEROUS GOODS ACT, 1975 AND REGULATION THEREUNDER

**DECLARATION:** Please renew licence number 35/034407 to 24/03/2003. I confirm that all the licence details shown below are correct (amend if necessary).

(Signature)

for: SELL &amp; PARKER PTY LTD

CHRIS COUNTER

(Please print name)

14.3.02

(Date signed)

**THIS SIGNED DECLARATION SHOULD BE RETURNED TO: (please do not fax)**WorkCover New South Wales  
Dangerous Goods Licensing Section  
GPO BOX 5364  
SYDNEY 2001Enquiries: ph (02) 9370 5187  
fax (02) 9370 6104**Details of licence on 25 February 2002**

Licence Number 35/034407

Expiry Date 24/03/2002 ✓

Licensee SELL &amp; PARKER PTY LTD ACN 000 101 315 ✓

~~SELL & PARKER METAL MERCHANTS~~ x

PTY LTD x

Postal Address: SELL &amp; PARKER METAL MERCHANTS P O BOX 1087 WATERLOO NSW 2017 WALES ✓

Licensee Contact CHRIS COUNTER Ph. 02 9319 2633 Fax. 02 9699 2251 ✓

**Premises Licensed to Keep Dangerous Goods**SELL & PARKER PTY LTD ~~SELL & PARKER METAL MERCHANTS~~ x  
45 TATTERSALL RD BLACKTOWN 2148

Nature of Site METAL AND MINERAL WHOLESALING ✓

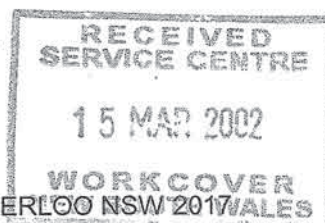
Major Supplier of Dangerous Goods BOC ✓

Emergency Contact for this Site BRIAN DENNIS (A/H: 0417 621 263) Ph. 02 9621 2633 ✓

Site staffing 11 HRS 6 DAYS

**Details of Depots**

Depot No.	Depot Type	Goods Stored in Depot	Qty
1	ABOVE-GROUND TANK	Class 2.2	2100 M3
		UN 1073 OXYGEN, REFRIGERATED LIQUID	2100 M3
2	EXEMPT - STORAGE AREA	Class 2.1	90 KG
		UN 1075 PETROLEUM GASES, LIQUEFIED	45 KG
		UN 1075 PETROLEUM GASES, LIQUEFIED	45 KG



# Application for Licence to Keep Dangerous Goods



Exp. 24/3/2007

Application for ☒ new licence ☐ amendment ☐ transfer ☐ renewal of expired licence

## PART A - Applicant and site information See page 2 of Guidance Notes.

1 Name of applicant		ACN
Sell & Parker Pty Ltd		000 101 315
2 Postal address of applicant	Suburb/Town	Postcode
PO Box 1087	Waterloo	2017
3 Trading name or site occupier's name		
Sell & Parker Metal Merchants		
4 Contact for licence inquiries	Phone	Fax
	9319 2633	9699 2251
Name		
Chris Counter		
5 Previous licence number (if known)		
35/ - 034407		
6 Previous occupier (if known)		
-		
7 Site to be licensed	No	Street
	45	Tattersall Road
Suburb / Town		Postcode
Blacktown		2148
8 Main business of site		
Scrap Metal Merchants		
9 Site staffing: Hours per day	11	Days per week
		6
10 Site emergency contact	Phone	Name
	Site Office: 9621 2633	Brian Dennis
After Hours: 0417 621 263		
11 Major supplier of dangerous goods		
BOC Gases		
12 If a new site or for amendments to depots - see page 4 of Guidance Notes.		
Plan stamped by:	Name of Accredited Consultant	Date stamped
	Laurel Cooper	14/03/00

I certify that the details in this application (including any accompanying computer disk) are correct and cover all licensable quantities of dangerous goods kept on the premises.

13 Signature of applicant	Printed name	Date
	CHRISTOPHER COUNTER	20.3.00

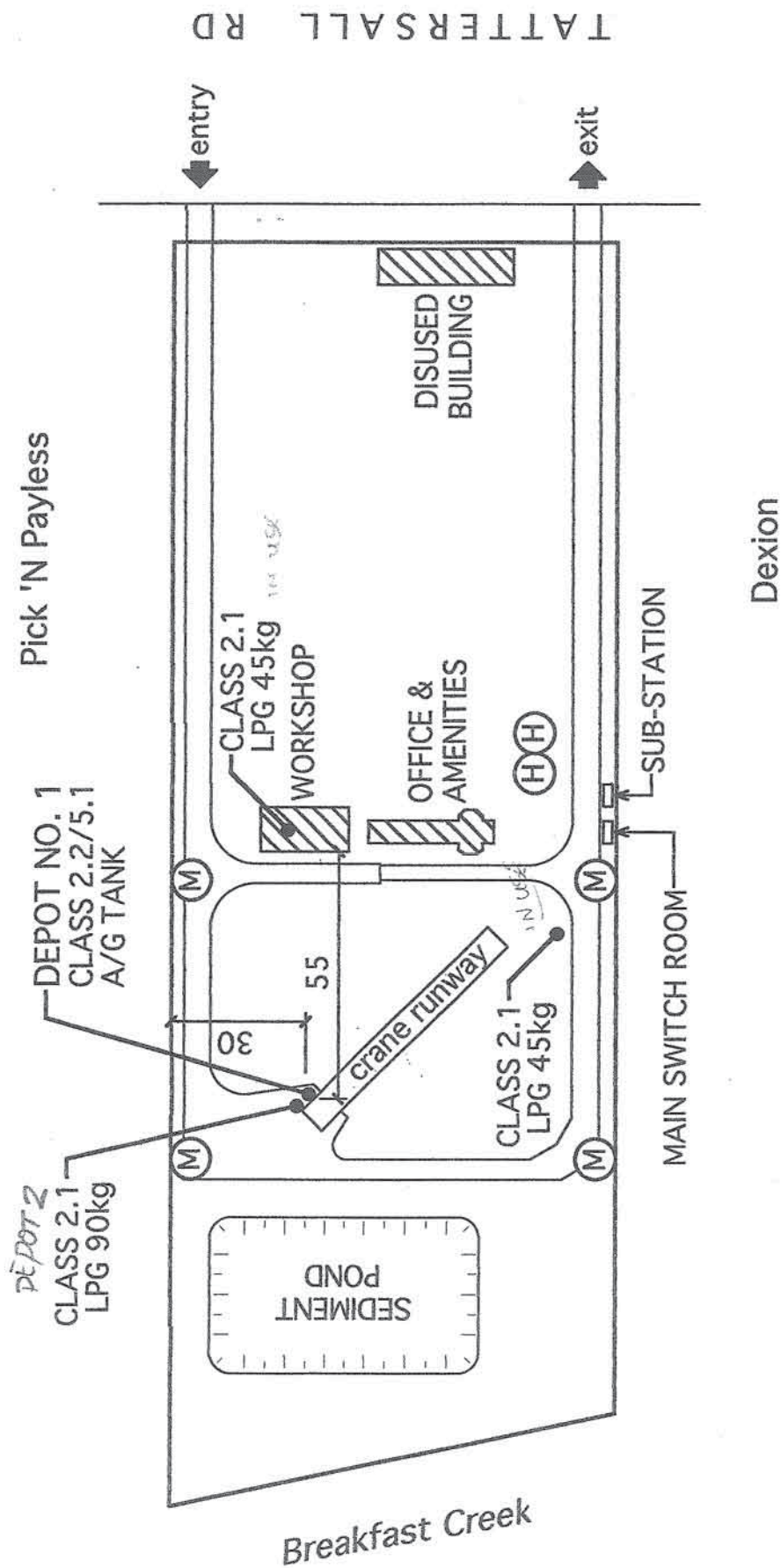
**SELL AND PARKER PTY. LIMITED**

Please send your application, marked **CONFIDENTIAL**, to: **Dangerous Goods Licensing, WorkCover NSW, Level 3, GPO Box 5364, SYDNEY NSW 2001**

# DG1 PART B Scale 1:1500

## LEGEND

- (M) MONITOR
- (H) HYDRANT



What is a depot? See page 5 of the Guidance Notes.

**PART C – Dangerous Goods Storage** Complete one section per depot.

If you have more depots than the space provided, photocopy sufficient sheets first.

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
1	Aboveground Tank	2.2/5.1	2,100 m <sup>3</sup>

*plan Rec'd*

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1073	Oxygen, Refrigerated Liquid	2.2/5.1	Liquid Oxygen	2,100	m <sup>3</sup>

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
2.	EXEMPT STORAGE AREA	2.1	90kg.

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1075	LPG	2.1		45kg	
1075	LPG	2.1		95	kg

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>



INSPECTORS NOTICE

APPLICATION FOR  
LICENCE FOR THE KEEPING OF DANGEROUS GOODS  
UNDER AND SUBJECT TO THE PROVISIONS OF THE  
DANGEROUS GOODS ACT, 1975  
AND REGULATIONS THEREUNDER.

DEPOT TYPE	PRODUCT	UNITS (ABT)	CLASS	FEE
1 U/G TANK	FLAMMABLE LIQUID	10,000	3	\$

*Filled & sealed*

*Cancel here*

**CANCELLED**  
**Deleted**  
19 JAN 1989

**B  
E**

**P  
A**

**D**

DECLARATION: I certify that the details shown are correct (amend if necessary) and forward

herewith fee of \$ .....(Signature) .....(Date) .....

APPLICANT

BURTON BLDG CORP P/L  
45 TATTERSALLS RD  
BLACKTOWN 2148

AMOUNT PAYABLE

\$15.00

PREMISES TO BE LICENSED OR REGISTERED IF NOT AS ABOVE

35 0009356  
LICENCE/REG. No

15 SEPT 84  
NEXT EXPIRY

## Inflammable Liquid-

## EXPLANATORY

H.C.S.

Mineral Oil - includes kerosene, mineral turpentine and white spirit (for cleaning), and compositions containing same.

Mineral Spirit - includes petrol, benzene, benzolene, benzol and naphtha, and compositions containing same.

## Dangerous Goods -

Class 1 - acetal, acetaldehyde, acetone, acrolein, amyl mercaptan, butyl acetate, butyl mercaptan, butyl propionate, crotonaldehyde, dichloro-ethylene, diethylketone, dioxane, diethylamine, dimethyl hydrozine, dipropylamine, divinyl ether, dipropyl ether, ethyl acetate, ethyl acrylate, ethyl chloride, ethyl ether, dichloroethane (ethylene dichloride), ethyl mercaptan, ethyl methacrylate, ethyl methyl ether, ethyl propyl ether, ethyl propionate, methyl propyl ketone, methyl acetate, methyl acrylate, methylal, methyl ethyl ether, methyl ethyl ketone, methyl methacrylate, methyl vinyl ketone, methyl vinyl acetate, piperidine, propanal, propyl acetate, propylamine, propylene oxide, pyridine, tetrahydrofuran, thiophene, triethylamine, valeraldehyde, vinyl acetate, vinyl allyl ether, vinyl butyl ether, vinyl butyrate, vinyl cyanide (acrylonitrile), vinylidene chloride, vinyl ethyl ether, vinyl propyl ether, vinyl propionate, any combination of substances of an inflammable character suitable for use as an industrial solvent and having a true flashing point of less than 73 degrees Fahrenheit, manufactured products, containing organic solvents, having a true flashing point of less than 73 degrees Fahrenheit.

Class 2 - acetic acid, acetyl acetone, acetic anhydride, allyl alcohol, amyl acetate, amyl alcohol, butyl alcohol, butyl methacrylate, chlorobenzene, cyclohexanone, dibutyl ether, dibutyl ketone, dipentene, epichlorohydrin, ethanol (ethyl alcohol), ethyl benzene, ethylene diamine, furfural, mesityl oxide, methyl alcohol, methyl amyl ketone, methyl butyl ketone, pine oil (having a flashing point below 150°F), propyl benzene, propanol, vegetable turpentine, vinyl benzene (styrene monomer), any liquid containing more than 50 per centum ethyl alcohol, manufactured products, containing organic solvents, having a true flashing point of 73 degrees Fahrenheit and above but not exceeding 150 degrees Fahrenheit.

Class 3 - nitro-cellulose moistened with an alcohol, nitro-cellulose product.

Class 4 - compressed or dissolved acetylene contained in a porous substance.

Class 5 (A) - liquefied inflammable gases (liquefied petroleum gas, vinyl chloride, ethylene chloride, ethylene oxide, butadiene, methylamine, dimethylamine and trimethylamine).

Class 9 - Carbon disulphide, ethyl nitrite.

## DIRECTIONS

Applications must be forwarded to the Chief Inspector of Inflammable Liquid, Explosives Department, Department of Mines, Sydney, and must be accompanied by the prescribed fee, as set out in Regulation 7.

1. Name in full of occupier

2. Occupation

3. Locality of the premises in which the depot or depots are situated

4. Nature of premises (Dwelling, Garage, Store, etc.)

No. or Name

Street

Town

Postcode

5. Particulars of construction of depots and maximum quantities of inflammable liquid and/or Dangerous Goods to be kept at any one time

PLEASE ATTACH COPY OF PREMISES.

Depot No.	Construction of depots*			Inflammable liquid		Dangerous goods					
	Walls	Roof	Floor	Mineral Spirit gallons	Mineral Oil gallons	Class 1 gallons	Class 2 gallons	Class 3 lb	Class 4 cu ft	Class 5 A water gallons	Class 9 gallons
1	Underground Tank.			2000.							
2											
3											
4											
5											
6											
7											
8											
9											
10											

PUBLIC REVENUE A/c

(Date)

Receipt No.

\* If product is kept in tanks describe depots as underground or aboveground tanks.

Signature of Applicant

Postal Address

Date of Application 16.12.1969.

BLACKTOWN.

Person to Contact re Installation ERRON WOODPhone No.: 622-8233

## EQUIPMENT REQUIRED

Product	Single/Dual	Manual/Meter	No.	Tanks	No.
1. SUP. M/S	—	—	—	2000 G. C.	1
2.					
3.					

## ELECTRIC METER PUMPS: SPECIAL DETAILS

Is electrical power connected? — A.C. or D.C. — Voltage (Refer to Switchboard) —Distance from Pump to Switchboard —Is power available at pump? (Conversion Manual to Meter) —

NOTE: G.F. assumes obligation to CONNECT to switchboard only. Be certain client understands meter pump CANNOT BE INSTALLED UNLESS SWITCHBOARD CAPACITY IS SUFFICIENT. Each pump whether single or dual must have its own circuit fuse: Single 4½ Amps. — Dual 9 Amps.

Be certain client understands HE must arrange for any necessary adjustments to the switchboard.

## GENERAL DETAILS

Distance from Pump Block to Tank/s 12 FT. Distance from Tank/s to Fill Point/s DIRECT FILL

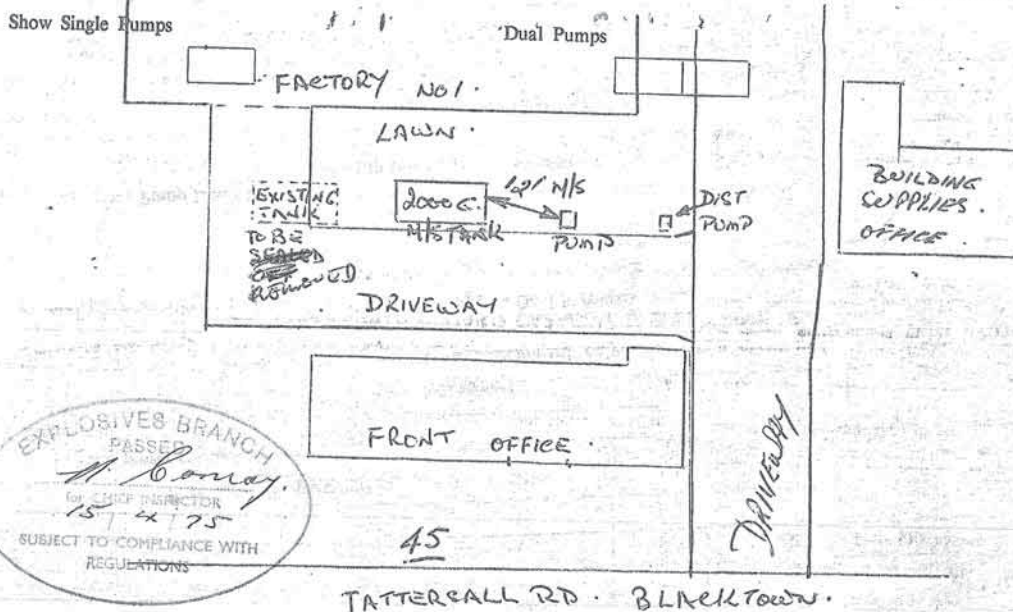
(Explosives Regulations provide that the Fill Point cannot be inside a building or within 5 feet of a doorway or window.)

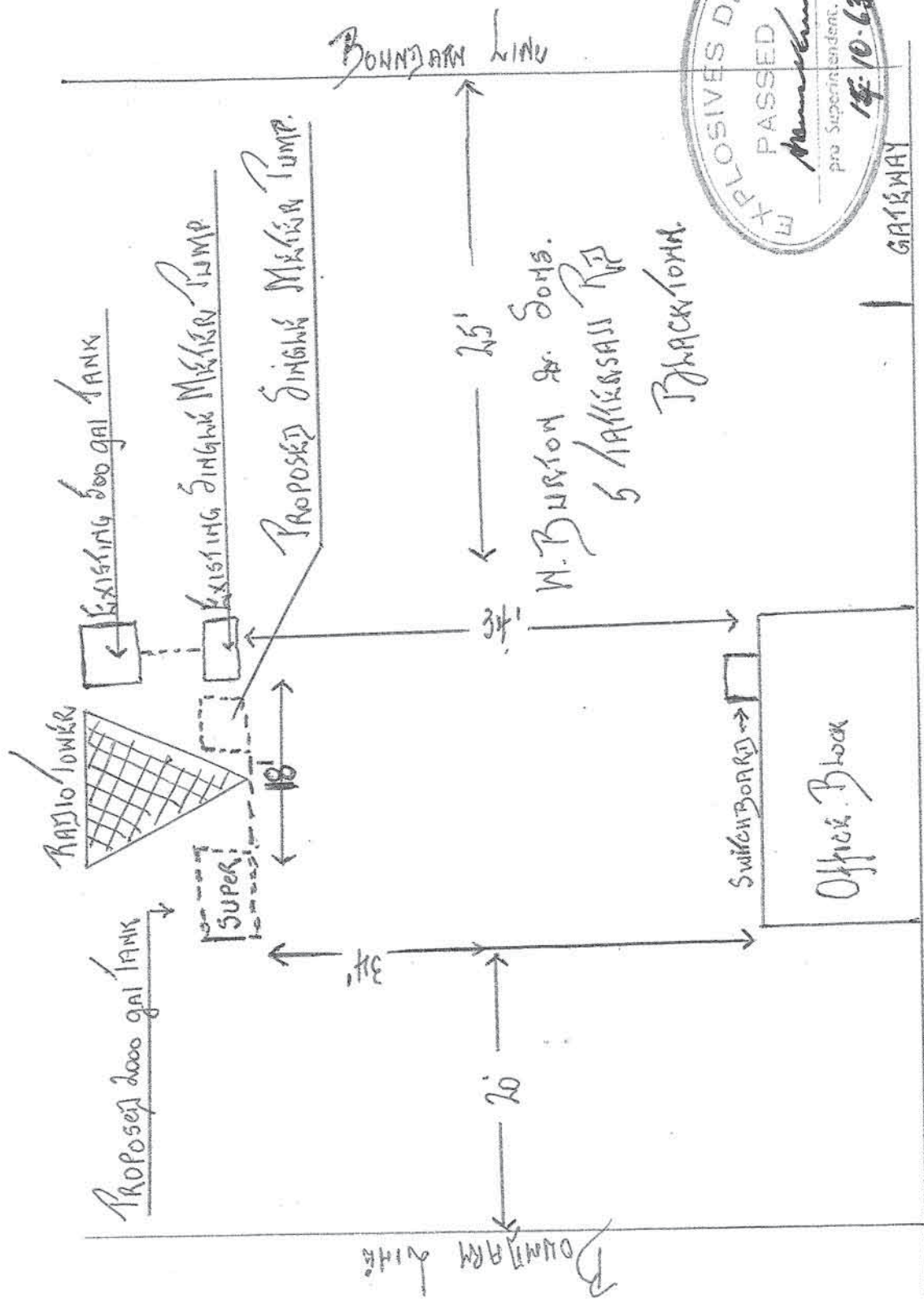
Distance from Tank/s to Nearest Wall: 20 FT. Height of Wall 30 FT.Will Tank/s be inside Building? NO If so, under what surface (wood, concrete, etc.)? —If Tank/s to be outside building describe present surface (Earth, Concrete, gravel, etc.) EARTH - LAWN.Excavation for Tank/s—Describe type of soil (sand, clay, rock, etc.) SAND & CLAY.If local labour available for excavations (Country Only) state contractor's name and address —

## LOCAL COUNCIL REQUIREMENTS

Name of Municipality BLACKTOWN.Has Council Permit been obtained? YES.Are there any special council requirements? MINES APPROVAL.

Prepare below Sketch Plan of Driveway Area showing details of Pump, Tank and Fill Point including location of other Company Pumps in relation to the Building. Frontages of property, distance between pumps, width of driveways, etc., to be included.

District Supervisor J. Bultman



Handwritten signature: *Handwritten signature*

## CONTACT FOR NOTIFICATION INQUIRIES

Title: Mr / Miss / Ms / Mrs / Other (please specify) MR Family name SALSKI  
Given name ROBERT Other names ANDREW  
Business phone 9830-5153 Business fax number 9830-5014  
Business email address BOB.SALSKI@DEXION.COM.AU.

Previous Licence Number or Acknowledgement Number (if known)

35/ 005193

Previous Occupier (if known)

Site on which dangerous goods are to be kept

Number Street

23

TATTERSALL ROAD.

Suburb/Town/Locality

KINGS PARK N.S.W.

Postcode

2148

Nearest cross Street

SUNNYHOLT RD

Lot and DP if no street number

Is the site staffed? If yes state number of employees

90

Site staffing: Hours per day

16

Days per week

5

Site Emergency Contact

Phone number

(02) 983-5153

Name

BOB. SALSKI

Nature of site (eg petrol station, warehouse etc)

MANUFACTURING FACTORY + WAREHOUSE

Nature of primary business activity

STRUCTURAL METAL PRODUCT MANUFACTURING.

ABN Number (if any)

Website details (if any)

WWW.DEXION.COM.AU.

What is the ANSZIC code most applicable to your business? (see guide for list of codes and further information)

Code

274

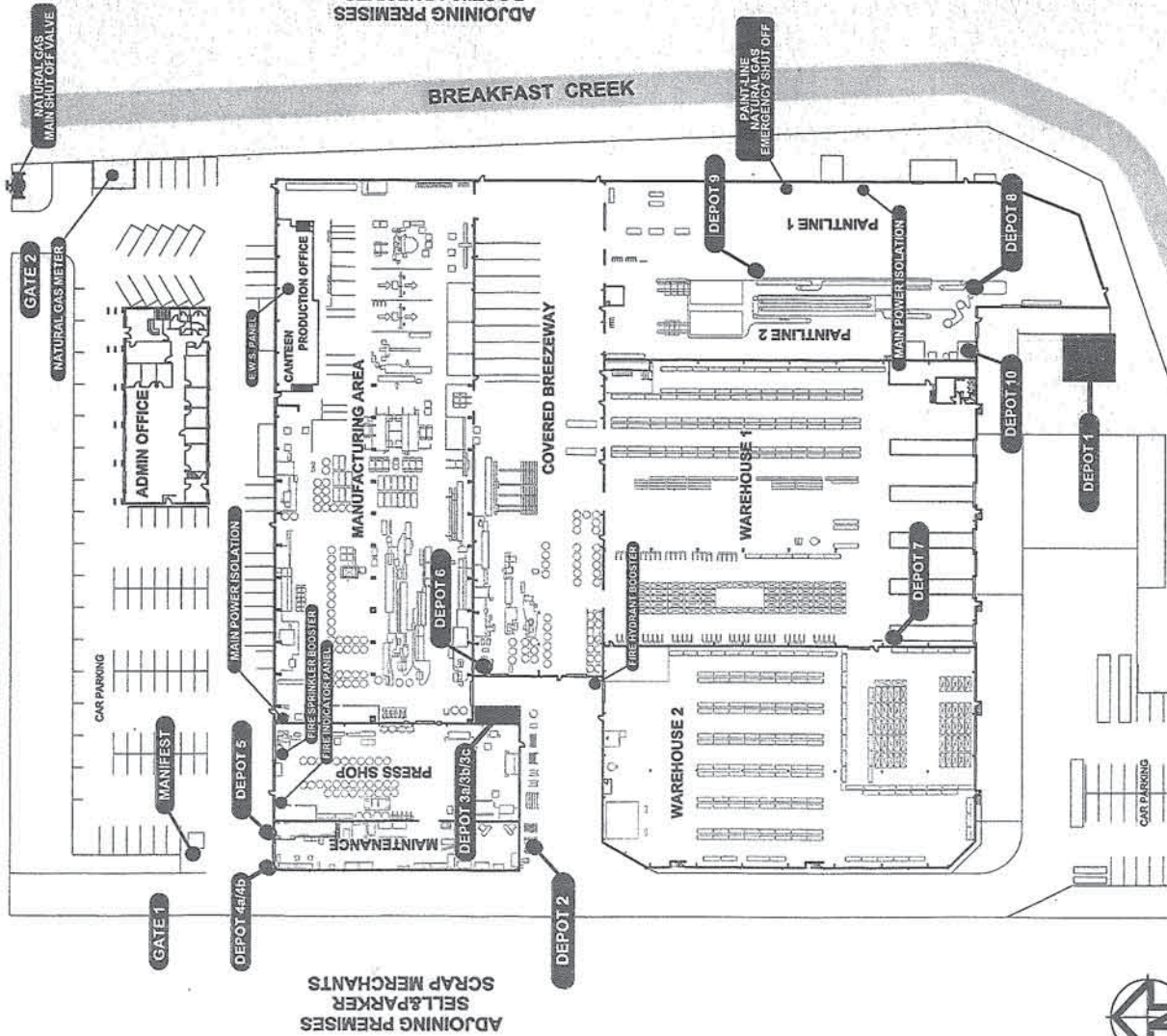
Description

STRUCTURAL METAL PRODUCT MANUFACTURING.

Attach a site sketch(s) of the premises. Refer to the Guide GDG01 for information on the requirements for the site sketch.

Attach a legible photocopy page from a local Street Directory or other map showing the locality of the premises. Mark the location of the premises with an X.

TATTERSALL ROAD

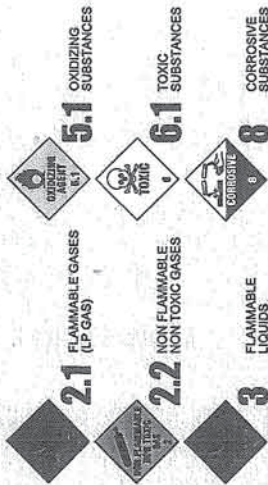


# DANGEROUS GOODS MANIFEST



23 TATTERSALL ROAD, KINGS PARK NSW 2148

## DANGEROUS GOODS LEGEND



PRINTED: 3rd MAY 2010

## DANGEROUS GOODS MANIFEST

DEPOT NO.	DEPOT DESCRIPTION	PRODUCT	CAPACITY	CLASS	PG
1	External Roofed Store	Paint / Phosphate	20,000 Litre / 1000 Litre	3 / 8 (6.1)	III / III
2	Cylinder Store	LPG	1,600 Litre	2.1	III
3a	Above Ground Tank	Argon	4,500 Litre	2.2	III
3b	Above Ground Tank	Carbon Dioxide	1,500 Litre	2.2 (5.1)	III
3c	Cylinder in Use	Oxygen	1,500 Litre	2.1	III
4a	Cylinder Store	Acetylene / LPG	500 Litre	2.2 (5.1)	III
4b	Cylinder Store	Oxygen	600 Litre	2.1	III
5	Flammable Cabinet	Various	250 Litre	3	III
6	Minor Store	Diesel	400 Litre	C1	III
7	Flammable Cabinet	Various	650 Litre / 160 Litre	3	III
8	Internal Store	Phosphate	600 Litre	8 (6.1)	II
9	Internal Store	Paint	400 Litre	3	III
10	Internal Store	Paint	2,500 Litre	3	III

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BREAKFAST CREEK



**GChubb**  
AUSTRIA & NEW ZEALAND

List the dangerous goods that will be stored and/or processed on these premises (refer to Guide GDG01). Copy this page and attach additional sheets if there is insufficient space.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
4A	CYLINDER STORE	2.1	500L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
1075	PETROLEUM GASES LIQUIFIED	2.1		LPG.	2WE	500	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
9	ROOFED STORE	8	400L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
2922	CORROSIVE LIQUID, TOXIC HOS	8(6.1)	II	PHOSPHATE	2XE	100	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
8	ROOFED STORE	3	600L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
1263	PAINT	3	III	PAINT	3Y	600	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg

## NOTIFICATION OF DANGEROUS GOODS ON PREMISES FORM

FDG01

List the dangerous goods that will be stored and/or processed on these premises (refer to Guide GDG01). Copy this page and attach additional sheets if there is insufficient space.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
1	ROOFED STORE	3	21,000 L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
1263	PAINT	3	III	PAINT	3Y	20,000	L.
2922	CORROSIVE LIQUID TOXIC, NOS	8 (6+)	II	PHOSPHATE	2XE	1,000	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
10	ROOFED STORE	3	2500 L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
1263	PAINT	3	III	PAINT	3Y	2500	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
2	CYLINDER STORE	2.1	1600 L.

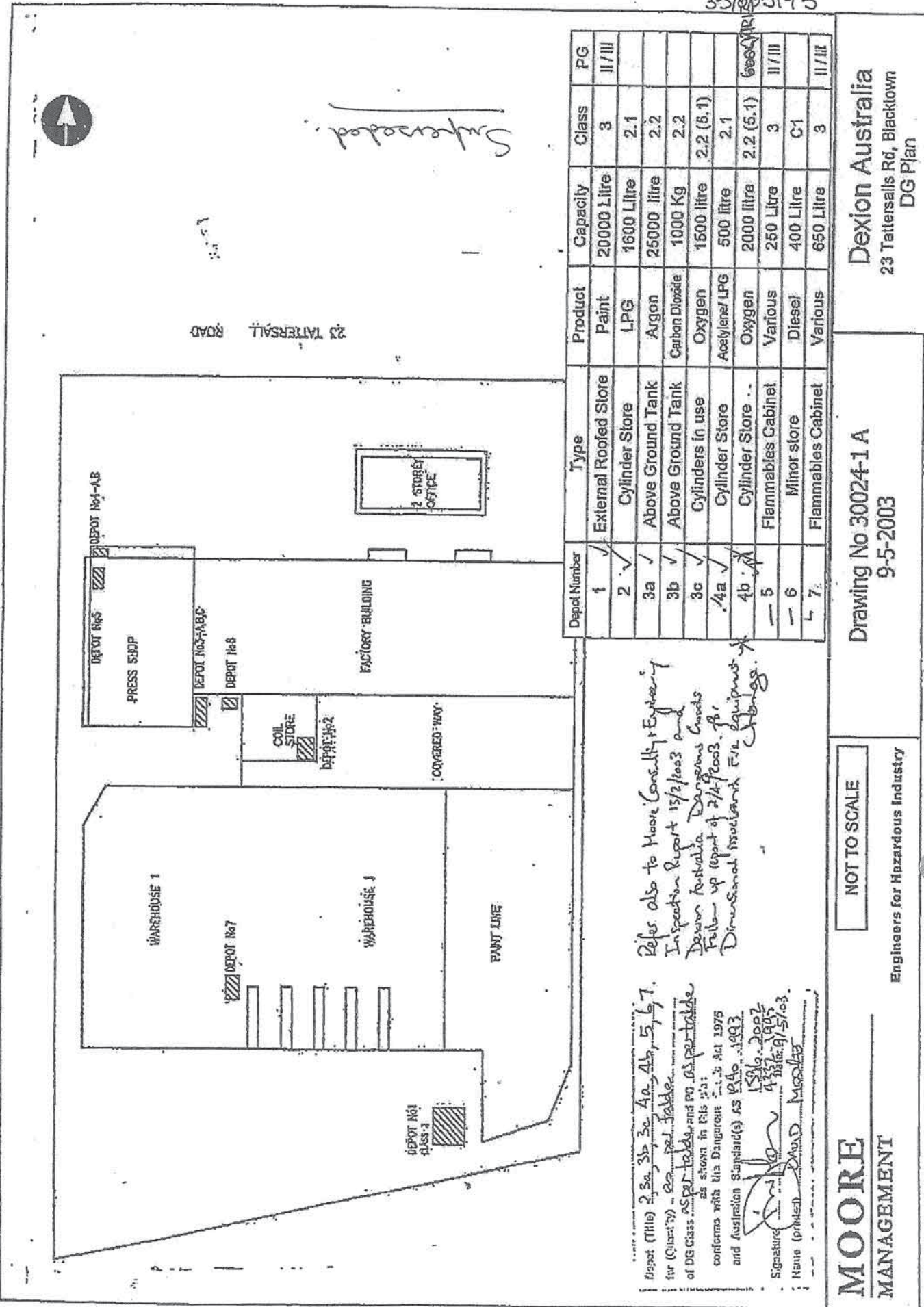
UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
1075	PETROLEUM GAS LIQUEFIED	2.1		LPG	2WE	1600	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
3A	ABOVE GROUND TANK	2.2	4500 L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
1951	ARGON REFRIGERATED LIQUID	2.2	2RE	ARGON		4500	L.

Depot No	Type of storage location or process	Class	Maximum Storage Capacity (L, kg)
B.	ABOVE GROUND TANK	2.2	1500 L.

UN Number	Proper Shipping Name	Class	PG (I, II, III)	Product or Common Name	HazChem Code	Typical Qty	Unit eg L, kg
2187	CARBON DIOXIDE REFRIGERATED LIQUID	2.2		CARBON DIOXIDE	2RE	1500	L.



Refer also to Hori Consultancy Engineering  
Inspection Report 13/2/2003 and  
Dexion Australia Dangerous Goods  
Follow up report of 2/4/2003. Refer  
Dimensional Inspection for equipment.

Depot (Title) 2, 3a, 3b, 3c, 4a, 4b, 5, 6, 7.  
for (Quarry) 2, 3a, 3b, 3c, 4a, 4b, 5, 6, 7.  
of DG Class as per table and pg. 03 per table  
as shown in this 2.3:  
conforms with the Dangerous Goods Act 1975  
and Australian Standard(s) AS 1940-1993  
Signature: [Signature]  
Name (printed): David Moore

Depot Number	Type	Product	Capacity	Class	PG
1	External Roofed Store	Paint	20000 Litre	3	II/III
2	Cylinder Store	LPG	1600 Litre	2.1	
3a	Above Ground Tank	Argon	25000 litre	2.2	
3b	Above Ground Tank	Carbon Dioxide	1000 Kg	2.2	
3c	Cylinders in use	Oxygen	1500 litre	2.2 (5.1)	
4a	Cylinder Store	Acetylene/LPG	500 litre	2.1	
4b	Cylinder Store	Oxygen	2000 litre	2.2 (5.1)	600/LPG
5	Flammables Cabinet	Various	250 Litre	3	II/III
6	Minor store	Diesel	400 Litre	C-1	
7	Flammables Cabinet	Various	650 Litre	3	II/III

**MOORE  
MANAGEMENT**

NOT TO SCALE  
Engineers for Hazardous Industry

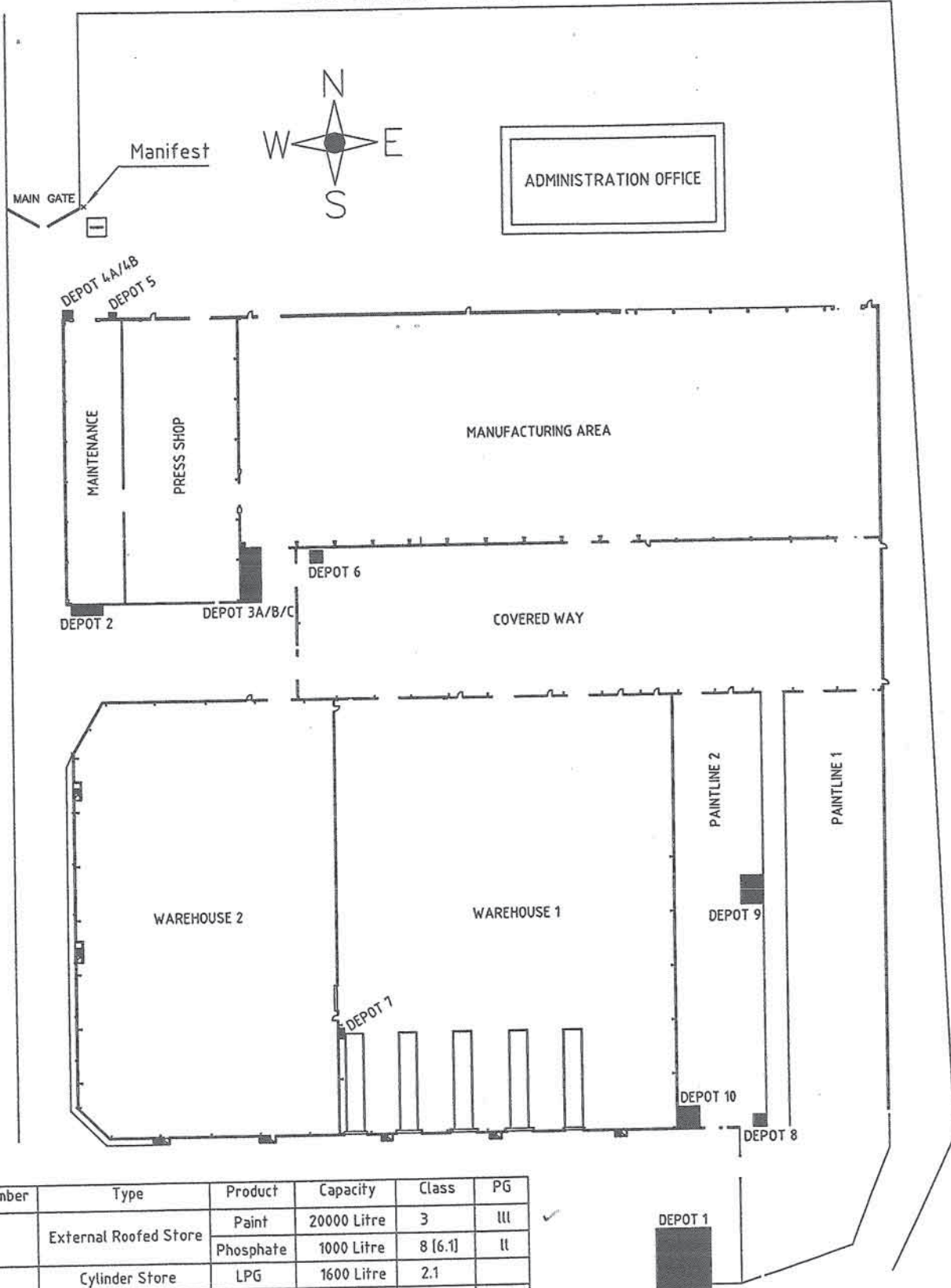
Drawing No 30024-1 A  
9-5-2003

**Dexion Australia**  
23 Tattersalls Rd, Blacktown  
DG Plan

35/005193

Superseded

# TATTERSALL ROAD



Depot number	Type	Product	Capacity	Class	PG
1	External Roofed Store	Paint	20000 Litre	3	III
		Phosphate	1000 Litre	8 [6.1]	II
2	Cylinder Store	LPG	1600 Litre	2.1	
3a	Above Ground Tank	Argon	4500 Litre	2.2	
3b	Above Ground Tank	Carbon Dioxide	1500 Litre	2.2	
3c	Cylinder in use	Oxygen	1500 Litre	2.2[5.1]	
4a	Cylinder Store	Acetylene/LPG	500 Litre	2.1	
4b	Cylinder Store	Oxygen	600 Litre	2.2[5.1]	
5	Flammables Cabinet	Various	250 Litre	3	III
6	Minor Store	Diesel	400 Litre	C1	
7	Flammables Cabinet	Various	650 Litre	3	III
8	Internal Store	Paint	600 Litre	3	III
9	Internal Store	Phosphate	400 Litre	8 [6.1]	II
10	Paint Mixing Room	Paint	2500 Litre	3	III

B	DRAWN	CHECKED	DATE
A	ORIGINAL	S-NG	CHECKED 13/1/2009
		Immen	Checked Date

<b>DG-PLAN</b>		ORIGINATOR: SNG		DIMENSIONS IN MM		DO NOT SCALE		DRAWING No.	
ORIGINAL DATE: 13/1/2009		COPYRIGHT RESERVED		A3		SCALE		DG-001/A	
DRAWING ISSUE CONTROL This drawing must not be used for manufacture unless the current issue 'Checked' box is indicated.		3RD ANGLE PROJECTION		DEXION® DEXION (AUSTRALIA) PTY LIMITED A.C.N. 000 053 955 A member of the 'Constructor Dexion Group'					

# Application for Licence to Keep Dangerous Goods



Application for ☐ new licence ☒ amendment ☐ transfer ☐ renewal of expired licence

20 MAY 2003

## PART A - Applicant and site information

See page 2 of Guidance Notes.

1 Name of applicant

AGN NEW SOUTH WALES

DEXION AUSTRALIA Pty LTD

2 Postal address of applicant

Suburb/Town

Postcode

23 TATTERSAUS RD

BLACKTOWN

2148

3 Trading name or site occupier's name

DEXION AUSTRALIA Pty LTD

4 Contact for licence inquiries

Phone

Fax

Name

9830-5000

9830-5007

Allan CLARK

5 Previous licence number (if known)

35/005193

6 Previous occupier (if known)

7 Site to be licensed

No

Street

23

TATTERSAUS RD

Suburb / Town

Postcode

BLACKTOWN

2148

8 Main business of site

MANUFACTURING

9 Site staffing: Hours per day

8

Days per week

5

10 Site emergency contact

Phone

Name

9830-5000

0412-689-051

Allan CLARK.

11 Major supplier of dangerous goods

NOT APPLICABLE

12 If a new site or for amendments to depots - see page 4 of Guidance Notes.

Plan stamped by:

Name of Accredited Consultant

Date stamped

DAVID MOORE

9.5.03

I certify that the details in this application (including any accompanying computer disk) are correct and cover all licensable quantities of dangerous goods kept on the premises.

13 Signature of applicant

Printed name

Date

*A Clark*

Allan CLARK

16-9-03

Please send your application, marked **CONFIDENTIAL**, to: **Dangerous Goods Licensing, WorkCover NSW, Level 3, GPO Box 5364, SYDNEY NSW 2001**

What is a depot? See page 5 of the Guidance Notes.

**PART C – Dangerous Goods Storage** Complete one section per depot.

If you have more depots than the space provided, photocopy sufficient sheets first.

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
1	ROOFED STORE	3	20,000 L

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m³
1263	PAINT	3 III	PAINT	10,000	L

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
2	CYLINDER STORE	2.1	1600 L

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m³
1075	PETROLEUM GAS	2.1 -	LPG	400	L
	LIQUEFIED				

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
3a	ABOVE GROUND TANK	2.2	25000 L

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m³
1951	ARGON	2.2 -	ARGON	15000	L

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
3b	ABOVE GROUND TANK	2.2	1000 kg.

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m³
2187	CARBON DIOXIDE	2.2 -	CARBON DIOXIDE	300	kg
	refrigerated liquid				

What is a depot? See page 5 of the Guidance Notes.

**PART C - Dangerous Goods Storage** Complete one section per depot.

If you have more depots than the space provided, photocopy sufficient sheets first.

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
3c	CYLINDERS IN USE	2.2	1500 L

UN Number	Proper Shipping Name	Class (I, II, III)	PG	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1072	OXYGEN COMPRESSED	2.2	-	OXYGEN	1000	L

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
4a	Cylinder Store	2.1	300 kg

UN Number	Proper Shipping Name	Class (I, II, III)	PG	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1001	ACETYLENE DISSOLVED	2.1	-	ACETYLENE	50	kg
1075	PETROLEUM GAS LIQUEFIED	2.1	-	LPG	250	kg

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
4b	Cylinder Store	2.2	2000 L

UN Number	Proper Shipping Name	Class (I, II, III)	PG	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1072	OXYGEN COMPRESSED	2.2	-	OXYGEN	1500	L

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
6	MINOR STORE	C1	400 L

UN Number	Proper Shipping Name	Class (I, II, III)	PG	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
-	DIESEL	C1	-	DIESEL	300	L

What is a depot? See page 5 of the Guidance Notes.

**PART C - Dangerous Goods Storage** Complete one section per depot.

If you have more depots than the space provided, photocopy sufficient sheets first.

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
5	FLAMMABLES CABINET	3	250 L

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1263	PAINT	3 III	PAINT /	150	L

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity
7	FLAMMABLES CABINET	3	650 L

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>
1263	PAINT	3 III	PAINT /	250	L

Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>

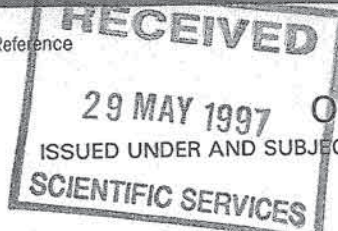
Depot Number	Type of depot (see page 5)	Depot Class	Maximum storage capacity

UN Number	Proper Shipping Name	PG Class (I, II, III)	Product or common name	Typical quantity	Unit, e.g. L, kg, m <sup>3</sup>



Reference



# **APPLICATION FOR RENEWAL OF LICENCE TO KEEP DANGEROUS GOODS**

ISSUED UNDER AND SUBJECT TO THE PROVISIONS OF THE DANGEROUS GOODS ACT, 1975 AND REGULATION THEREUNDER

**DECLARATION:** Please renew licence number 35/005193 to 1998. I confirm that all the licence details shown below are correct (amend if necessary).

*A Clark*  
(Signature)

for: DEXION (AUST) P/L

ALLAN J. CLARK

(Please print name)

27-5-97

(Date signed)

**THIS SIGNED DECLARATION SHOULD BE RETURNED TO:**

WorkCover New South Wales  
Dangerous Goods Licensing Section (Level 3)  
Locked Bag 10  
P O CLARENCE STREET 2000

Enquiries: ph (02) 9370 5187  
fax (02) 9370 6105

## **Details of licence on 16 May 1997**

Licence Number 35/005193 Expiry Date 18/07/97

Licensee DEXION (AUST) P/L ACN 000 083 956

Postal Address BOX 6470 P O, BLACKTOWN 2148

Licensee Contact ~~Ladlow~~ Ph. 830 5000 Fax. 830 5007

Premises Licensed to Keep Dangerous Goods  
43 TATTERSALL RD  
BLACKTOWN 2148

ALLAN CLARK

Nature of Site MANUFACTURING NEC Major Supplier of Dangerous Goods NOT APPLICABLE

Emergency Contact for this Site ~~Ladlow~~ ph. 830 5000

ALLAN CLARK

Site staffing 8 hrs 5 days

## **Details of Depots**

Depot No.	Depot Type	Goods Stored in Depot	Qty
1	ROOFED STORE	Class 3 UN 1263 PAINT RELATED MATERIAL UN 1255 NAPHTHA, petroleum	20000 L 10000 L 5000 L
2	CYLINDER STORE	Class 2.1 UN 1075 PETROLEUM GASES, LIQUE	1600 L 400 L
3a	ABOVE-GROUND TANK	Class 2.2 UN 1951 ARGON, REFRIGERATED LI	25000 L 15000 L
3b	ABOVE-GROUND TANK	Class 2.2 UN 2187 CARBON DIOXIDE, REFRIG	1000 kg 1000 kg
4a	CYLINDER STORE	Class 2.1 UN 1001 ACETYLENE, DISSOLVED UN 1075 PETROLEUM GASES, LIQUE	300 kg 42 m3 250 kg
4b	Exempt - Storage area	Class 2.2	42 m3

PART A  
SCIENTIFIC SERVICES  
BRANCH  
10 AUG 1993  
DANGEROUS  
GOODS

# WORKCOVER AUTHORITY



## LICENCE TO KEEP DANGEROUS GOODS

*Accredited consultant, distances between depots 283*

(Dangerous Goods Act 1975)

*Application for new licence, amendment or transfer  
Storage / Separation Depot 2. C. DAVEN 13 698*

1. Name of applicant		ACN
DEXION (AUSTRALIA) PTY. LIMITED		000083956
2. Site to be licensed		
No	Street	
43	TATTERSALL ROAD (P.O. BOX 470)	
Suburb/Town		Postcode
BLACKTOWN		2148
3. Previous licence number (if known) 35/005193		
4. Nature of site MANUFACTURING PLANT <i>X</i>		
5. Emergency contact on site:		
Phone	Name	
621.1777	J.W. LADLOW	
6. Site staffing:	Hours per day	Days per week
	8	5
7. Major supplier of dangerous goods ANZOL PAINTS <i>X</i>		
8. If new site or significant modification		
Plan stamped by:	Accredited consultant's name:	Date stamped
9. Number of dangerous goods depots at site FOUR		
10. Trading name or occupier's name		
DEXION (AUSTRALIA) PTY LIMITED		
11. Postal address of applicant		Suburb/Town Postcode
TATTERSALL ROAD (P.O. BOX 470)		BLACKTOWN 2148
12. Contact for licence enquiries:		
Phone	Fax	Name
621.1777	831.2395	J.W. LADLOW

*\* additional  
Storage areas*

I certify that the details contained in this application (or the accompanying computer disk) are true and correct

13. Signature of applicant

*J.W. Ladlow*

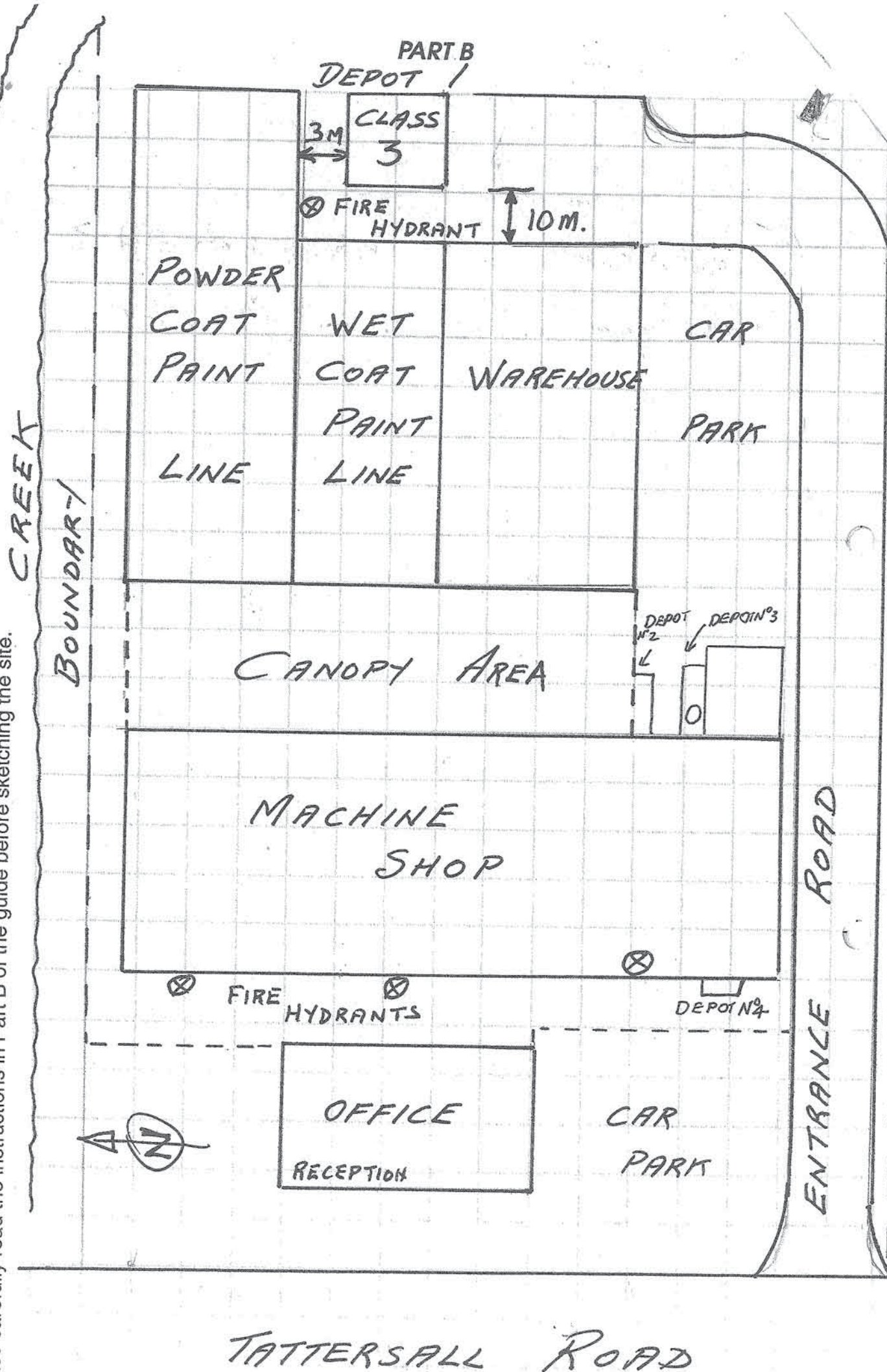
Date

16-8-93

# DOW CORNING

## Site Sketch

Please carefully read the instructions in Part B of the guide before sketching the site.



# CHEMICAL STORAGE

Complete 1 section per depot

If you have more depots than the space provided, photocopy sufficient sheets first.

Depot number	Type of depot	Class			Licensed maximum storage capacity		
1	ROOFED STORE	3			20,000 Litres ✓		

UN number	Shipping name	Pkg. Class Group EPG			Product or common name	Typical quantity	Uniteg. L, kg, m³
1263	STOVING ENAMEL	3	2	3YE	SOLVENT PAINT	10,000	L
1255	SOLVESSO 150	3	2	3YE	THINNERS	5,000	L

Depot number	Type of depot	Class			Licensed maximum storage capacity		
2	CYLINDER STORE	2.1			1,600 Litres ✗		

UN number	Shipping name	Pkg. Class Group EPG			Product or common name	Typical quantity	Uniteg. L, kg, m³
1075	PROPANE	2.1	2.1	2A2	LPG	400	L
N/A	MOBILE DIESEL PLUS	N/A	N/A	N/A	DIESEL	800	L

Depot number	Type of depot	Class			Licensed maximum storage capacity		
3	ABOVEGROUND TANK	2.2			25,000 Litres ✗		

UN number	Shipping name	Pkg. Class Group EPG			Product or common name	Typical quantity	Uniteg. L, kg, m³
1006	ARGON	2.2	2.2	2C1	ARGON	15,000	L
1013	CO <sup>2</sup>	2.2	2.2	2C1	CARBON DIOXIDE	1,000	KG

Depot number	Type of depot	Class			Licensed maximum storage capacity		
4	CYLINDER STORE	2.1			300 Kg/100m <sup>3</sup> ✗		

UN number	Shipping name	Pkg. Class Group EPG			Product or common name	Typical quantity	Uniteg. L, kg, m³
1001	IND ACETYLENE	2.1	2.1	2A1	ACETYLENE	42	m <sup>3</sup>
1075	PROPANE	2.1	2.1	2A2	HANDI GAS	250	Kg
1072	OXYGEN	2	2.2	2C6	OXYGEN	42	m <sup>3</sup>



Reference

# WORKCOVER AUTHORITY



Chemical Safety Unit

Locked Bag 10, P O CLARENCE STREET NSW 2000

Ph. (02) 370 5191 OR (02) 370 5192

Fax (02) 370 6105

Licensee

DEXION (AUST) P/L

BOX 470 P O

BLACKTOWN 2148

15 JUN 1992



Dear Sir/Madam,

RE APPLICATION FOR RENEWAL OF LICENCE FOR THE KEEPING OF DANGEROUS GOODS

Our records indicate you hold licence number 35/005193 for keeping dangerous goods at TATTERSALL RD BLACKTOWN 2148.

Details of depots at site.

Depot No.	Depot type	Goods stored in depot	Quantity kg/litres/no.
1	ROOFED STORE	FLAMMABLE LIQUIDS	20 000
2	UNDERGROUND TANK	FLAMMABLE LIQUIDS	10 000

This licence is now due for renewal. TO RENEW YOUR LICENCE. Please carefully check the details shown in this letter and make any required corrections. Then, SIGN and DATE the declaration below and return this letter to the WorkCover Authority, Chemical Safety Unit. Fees for these licences have been abolished. DO NOT SEND ANY MONIES.

Declaration: I wish to renew this licence to 15/07/93. I certify that the licence details shown in this letter are correct.

J.W. Ladow  
(Signature)

24 JUNE 1992  
(Date)

If you do not wish to renew the licence. Please provide the Chemical Safety Unit with a signed statement giving the reason why it is not to be renewed. If you have sold/vacated the site please provide the name and address of the new owner/occupier so we may contact them.

Yours faithfully

Chief Inspector of Dangerous Goods.

Annex G

## EPA Background Register Search



## Contaminated land

[+ Management of contaminated land](#)[+ Consultants and site auditor scheme](#)[+ Underground petroleum storage systems](#)[Guidelines under the CLM Act](#)[NEPM amendment](#)[+ Further guidance](#)[- Record of notices](#)[About the record](#)[Search the record](#)[Search tips](#)[Disclaimer](#)

You are here: [Home](#) > [Contaminated land](#) > [Record of notices](#)

## Search results

Your search for: LGA: Blacktown City Council

Matched 7 notices relating to 2 sites.

[Search Again](#)[Refine Search](#)

Suburb	Address	Site Name	Notices related to this site
Kings Park	21 Tattersall Road	<a href="#">Former Dow Corning Sealants Factory</a>	1 current and 4 former
Seven Hills	27 Powers Road	<a href="#">Ma-Refine Oils Seven Hills</a>	2 current

Page 1 of 1

12 June 2014

Annex H

## Office of Water Ground Water Bore Search



Client: Sell and Parker Pty Ltd  
 Drawing No: 0226308\_EIS\_GIS09\_V1\_GWBORES.mxd  
 Date: 01/07/2014 Drawing Size: A4  
 Drawn By: TH Reviewed By: AC

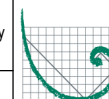
This figure may be based on third party data or data which has not been verified by ERM and it may not be to scale. Unless expressly agreed otherwise, this figure is intended as a guide only and ERM does not warrant its accuracy.

**Figure 3.1 - Groundwater Bore Locations**

Waste Metal Recovery, Processing and Recycling Facility Expansion - Tattersall Road, Kings Park, Blacktown

Environmental Resources Management ANZ

Auckland, Brisbane, Canberra, Christchurch, Hunter Valley, Melbourne, Perth, Port Macquarie, Sydney



**ERM**

# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

Document Generated on Thursday, February 6, 2014

Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW102688

### Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW102688
LIC-NUM	10BL159263
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	(Unknown)
CONSTRUCTION-METHOD	Rotary
OWNER-TYPE	
COMMENCE-DATE	
COMPLETION-DATE	1999-06-10
FINAL-DEPTH (metres)	5.00
DRILLED-DEPTH (metres)	5.55
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	BP BLACKTOWN
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	
SALINITY	
YIELD	

### Site Details [\(top\)](#)

REGION	10 - SYDNEY SOUTH COAST
RIVER-BASIN	
AREA-DISTRICT	
CMA-MAP	
GRID-ZONE	
SCALE	
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6263415.00
EASTING	306884.00
LATITUDE	33 45' 6"
LONGITUDE	150 54' 54"
GS-MAP	

AMG-ZONE 56  
 COORD-SOURCE  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP LOT23 DP571630

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 23 571630

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	5.55	125			
1	1	Casing	PVC Class 18	0.00	1.00	50			C: 0-.7m; Screwed
1	1	Opening	Slots	0.00	1.00	50			PVC Class 18; SL: 1mm
1	1	Opening	Screen	1.00	5.00	50			PVC Class 18; A: .4mm; Screwed
1		Annulus	(Unknown)	0.70	5.00				Graded; GS: 0- 2mm; Q: 4300m <sup>3</sup>

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
2.00	5.00	3.00		2.50					

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	1.00	1.00	SAND FILL MINOR CLAY		
1.00	4.50	3.50	CLAY SILTY/SANDY		
4.50	5.55	1.05	SHALE WEATHERED		

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

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[Print Report](#)

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW104235

### Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW104235
LIC-NUM	10BL160056
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	Supply Obtained
CONSTRUCTION-METHOD	Auger
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	2001-03-26
FINAL-DEPTH (metres)	6.20
DRILLED-DEPTH (metres)	6.20
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	BOSTIK
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	2.60
SALINITY	
YIELD	

### Site Details [\(top\)](#)

REGION	10 - SYDNEY SOUTH COAST
RIVER-BASIN	
AREA-DISTRICT	
CMA-MAP	
GRID-ZONE	
SCALE	
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6263690.00
EASTING	306709.00
LATITUDE	33 44' 57"
LONGITUDE	150 54' 48"
GS-MAP	

AMG-ZONE 56  
 COORD-SOURCE Map Interpretation  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP LT 102 DP 618065

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	6.20	200			Auger
1	1	Opening	Screen	3.00	6.00	50			PVC; SL: 42mm; Screwed

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
2.60	6.20	3.60		2.60				4.00	

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL COMMENT
0.00	0.40	0.40	BROWN SILTY SANDY TOPSOIL	
0.40	0.90	0.50	SILTY SANDY TOPSOIL WITH CLAY	
0.90	1.30	0.40	AS ABOVE	
1.30	1.70	0.40	LIGHT GREY TO BROWN CLAY	
1.70	2.10	0.40	BROWN TO OARNGE CLAY/ORGANIC MAT.	
2.10	2.70	0.60	AS ABOVE,DRY CLAY BECOM. MOIST	
2.70	3.10	0.40	AS ABOVE /SAND AND GRAVEL MOIST	
3.10	3.30	0.20	ORNAGE TO RED CLAY	
3.30	4.10	0.80	GREY SILTY CLAY	
4.10	4.50	0.40	LIGHT GREY SILTY CLAY,BEC. WET	
4.50	4.90	0.40	AS ABOVE,WET	

4.90	5.40	0.50	AS ABOVE WITH SAND , GRAVEL
5.40	5.70	0.30	AS ABOVE BECOMING SANDY, GRAVEL
5.70	6.20	0.50	AS ABOVE WITH SHALE FRAGMENTS.

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)  
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[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW104236

### Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW104236
LIC-NUM	10BL160056
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	Supply Obtained
CONSTRUCTION-METHOD	Auger
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	2001-03-26
FINAL-DEPTH (metres)	6.50
DRILLED-DEPTH (metres)	6.50
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	BOSTIK
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	3.20
SALINITY	
YIELD	

### Site Details [\(top\)](#)

REGION	10 - SYDNEY SOUTH COAST
RIVER-BASIN	
AREA-DISTRICT	
CMA-MAP	
GRID-ZONE	
SCALE	
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6263495.00
EASTING	306688.00
LATITUDE	33 45' 4"
LONGITUDE	150 54' 47"
GS-MAP	

AMG-ZONE 56  
 COORD-SOURCE Map Interpretation  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP LT 59 DP 243920

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	6.50	200			Auger
1	1	Opening	Screen	3.50	6.35	50			PVC; SL: 42mm; Screwed

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
3.20	6.50	3.30		3.20				3.50	

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL COMMENT
0.00	0.50	0.50	GRAVEL AND SAND	
0.50	1.00	0.50	GRAVEL AND SAND WITH METAL FRAG.	
1.00	1.40	0.40	GRAVEL AND SAND WITH DARK CLAY	
1.40	1.80	0.40	AS ABOVE/GREY SILTY CLAY	
1.80	2.20	0.40	LIGHT GREY TO MEDIUM CLAY	
2.20	2.80	0.60	AS ABOVE	
2.80	3.20	0.40	AS ABOVE WITH IRON	
3.20	3.50	0.30	MEDIUM TO BROWN CLAY	
3.50	4.10	0.60	AS ABOVE,BECOMING LESS SILTY	
4.10	4.50	0.40	AS ABOVE,ORANGE SILTY CLAY	
4.50	5.00	0.50	AS ABOVE WITH SOME ROCK FRAG.	

5.00	5.40	0.40	BROWN TO ORANGE SILTY CLAY
5.40	5.80	0.40	AS ABOVE WITH ROCKS
5.80	6.30	0.50	RED TO BROWN SILTY CLAY
6.30	6.50	0.20	MEDIUM TO DARK GREY CLAY

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)  
Document Generated on Thursday, February 6, 2014

Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW104237

### Works Details [\(top\)](#)

GROUNDWATER NUMBER	GW104237
LIC-NUM	10BL160056
AUTHORISED-PURPOSES	MONITORING BORE
INTENDED-PURPOSES	MONITORING BORE
WORK-TYPE	Bore
WORK-STATUS	Supply Obtained
CONSTRUCTION-METHOD	Auger
OWNER-TYPE	Private
COMMENCE-DATE	
COMPLETION-DATE	2001-03-26
FINAL-DEPTH (metres)	6.50
DRILLED-DEPTH (metres)	7.10
CONTRACTOR-NAME	
DRILLER-NAME	
PROPERTY	BOSTIK
GWMA	-
GW-ZONE	-
STANDING-WATER-LEVEL	3.20
SALINITY	
YIELD	

### Site Details [\(top\)](#)

REGION	10 - SYDNEY SOUTH COAST
RIVER-BASIN	
AREA-DISTRICT	
CMA-MAP	
GRID-ZONE	
SCALE	
ELEVATION	
ELEVATION-SOURCE	
NORTHING	6263493.00
EASTING	306726.00
LATITUDE	33 45' 4"
LONGITUDE	150 54' 48"
GS-MAP	

AMG-ZONE 56  
 COORD-SOURCE Map Interpretation  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP LT 59 DP 243920

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	6.50	200			Auger
1	1	Opening	Screen	3.50	6.35	50			PVC; SL: 42mm; Screwed

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
3.20	6.50	3.30		3.20				3.50	

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.90	0.90	CLAY AND SAND		
0.90	1.30	0.40	BLANK: METAL SHAVINGS		
1.30	1.80	0.50	CLAY AND SAND		
1.80	2.10	0.30	GREY TO BLACK CLAY		
2.10	3.10	1.00	CLAY AND SILT		
3.10	3.40	0.30	GREY TO BLACK CLAY		
3.40	4.10	0.70	DARK TO MEDIUM GREY SILTY CLAY		
4.10	4.50	0.40	AS ABOVE		
4.50	5.00	0.50	MED. TO LT GREY CLAY WITH SILT		
5.00	5.50	0.50	AS ABOVE BECOM. WET		
5.50	5.90	0.40	BROWN TO ORANGE SILTY CLAY/IRON		

5.90	6.20	0.30	BROWN/ORANGE CLAY,WET
6.20	6.80	0.60	AS ABOVE /GRAVEL AND IRON
6.80	7.10	0.30	AS ABOVE WITH FINE GRAVEL/SHALE FRAG.

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

Document Generated on Thursday, February 6, 2014

Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112578

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112578  
LIC-NUM 10BL605314  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD Auger - Solid Flight  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2013-03-06  
FINAL-DEPTH (metres) 5.80  
DRILLED-DEPTH (metres) 5.80  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY BOSTIK  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 2.50  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263678.00  
EASTING 306818.00  
LATITUDE 33 44' 58"  
LONGITUDE 150 54' 52"  
GS-MAP

AMG-ZONE 56  
 COORD-SOURCE  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102//618065

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	5.80	110			Auger - Solid Flight
1	1	Casing	PVC Class 15	2.80	5.80	55	45		Screwed; Seated on Bottom; End cap
1	1	Opening	Slots - Horizontal	0.00	2.50	55			PVC Class 15; SL: 40mm; A: 5mm; Screwed
1		Annulus	Waterworn/Rounded	2.50	5.80				Graded; GS: 2- 2mm

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
1.50	2.50	1.00		2.50					

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.20	0.20	TOPSOIL,BROWN,DRY	LOOSE,SILTY	

0.20	1.00	0.80	FILL, GRAVELLY SANDS, LIGHT GREY
1.00	2.50	1.50	CLAY, MOIST NOT SATURATED L/BROWN
2.50	5.80	3.30	CLAY SATURATED, TRACES OF GRAVEL

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)  
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Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112579

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112579  
LIC-NUM 10BL605314  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD Auger - Solid Flight  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2013-03-06  
FINAL-DEPTH (metres) 5.60  
DRILLED-DEPTH (metres) 5.60  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY BOSTIK  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 2.50  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263553.00  
EASTING 306704.00  
LATITUDE 33 45' 2"  
LONGITUDE 150 54' 47"  
GS-MAP

AMG-ZONE 56  
 COORD-SOURCE  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102//618065

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	5.60	110			Auger - Solid Flight
1	1	Casing	PVC Class 15	2.50	5.60	55	45		Screwed; Seated on Bottom; End cap
1	1	Opening	Slots - Horizontal	0.00	2.60	55			PVC Class 15; SL: 40mm; A: 5mm; Screwed
1		Annulus	Waterworn/Rounded	2.60	5.60				Graded; GS: 2- 2mm

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
4.50	4.80	0.30		2.50					

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.20	0.20	CONCRETE		

0.20	0.40	0.20	FILL
0.40	1.40	1.00	CLAY MOIST
1.40	2.50	1.10	CLAY GREY M/PLASTICITY,BEC.MOIST
2.50	4.80	2.30	CLAY BROWN, TRACE OF GRAVEL
4.80	5.60	0.80	ROCK WEATHERED,GREY SHALE,CLAYS

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)  
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Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112580

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112580  
LIC-NUM 10BL605314  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD Auger - Solid Flight  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2013-03-06  
FINAL-DEPTH (metres) 5.85  
DRILLED-DEPTH (metres) 5.85  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY BOSTIK  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 3.00  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263690.00  
EASTING 306716.00  
LATITUDE 33 44' 57"  
LONGITUDE 150 54' 48"  
GS-MAP

AMG-ZONE 56  
 COORD-SOURCE  
 REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102//618065

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
 PARISH PROSPECT  
 PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
 ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	5.85				Auger - Solid Flight
1	1	Casing	PVC Class 15	2.85	5.85	55	45		Screwed; Seated on Bottom; End cap
1	1	Opening	Slots - Horizontal	0.00	2.85	55			PVC Class 15; SL: 40mm; A: 5mm; Screwed
1		Annulus	Crushed Aggregate	2.85	5.80				Graded; GS: 2-2mm

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
4.00	4.50	0.50		3.00					

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO-MATERIAL	COMMENT
0.00	0.20	0.20	CONCRETE		
0.20	0.50	0.30	FILL, GRAVEL, CLAY		
0.50	4.00	3.50	CLAY, L/BROWN, GRAVEL;		
4.00	5.60	1.60	CLAYS M/PLASTICITY		

5.60 5.85 0.25 ROCK WEATHERED

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)  
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[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112581

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112581  
LIC-NUM 10BL605314  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD Auger - Solid Flight  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2013-03-06  
FINAL-DEPTH (metres) 5.30  
DRILLED-DEPTH (metres) 5.30  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY BOSTIK  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 2.30  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263645.00  
EASTING 306712.00  
LATITUDE 33 44' 59"  
LONGITUDE 150 54' 48"  
GS-MAP

AMG-ZONE 56  
COORD-SOURCE  
REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 102//618065

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 102 618065

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1		Hole	Hole	0.00	5.30				Auger - Solid Flight
1	1	Casing	PVC Class 15	2.30	5.30	55	45		Screwed; Seated on Bottom; End cap
1	1	Opening	Slots - Horizontal	0.00	2.30	55			PVC Class 15; SL: 40mm; A: 5mm; Screwed
1		Annulus	Crushed Aggregate	2.30	5.30				Graded; GS: 2-2mm

### Water Bearing Zones [\(top\)](#)

FROM- DEPTH (metres)	TO-DEPTH (metres)	THICKNESS (metres)	ROCK- CAT- DESC	S- W-L	D- D- L	YIELD	TEST-HOLE- DEPTH (metres)	DURATION	SALINITY
2.00	2.50	0.50		2.30					

### Drillers Log [\(top\)](#)

FROM	TO	THICKNESS	DESC	GEO- MATERIAL	COMMENT
0.00	0.20	0.20	CONCRETE		
0.20	0.40	0.20	FILL		
0.40	1.00	0.60	CLAY,LOOSE ,MOIST, L/PLASTICITY CLAY.MOIST TO VERY MOIST,TRACES OF		

1.00	2.50	1.50	GRAVEL
2.50	5.30	2.80	CLAY BECOMING SATURATED

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

Document Generated on Thursday, February 6, 2014

Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112587

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112587  
LIC-NUM 10BL604090  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2010-01-01  
FINAL-DEPTH (metres) 99.00  
DRILLED-DEPTH (metres)  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY KATSEKOS  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 7.00  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263979.00  
EASTING 306140.00  
LATITUDE 33 44' 48"  
LONGITUDE 150 54' 26"  
GS-MAP

AMG-ZONE 56  
COORD-SOURCE  
REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 1//786558

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 1 786558

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1	1	Casing	P.V.C.	0.00	0.00	50			

### Water Bearing Zones [\(top\)](#)

no details

### Drillers Log [\(top\)](#)

no details

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)

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Print Report

[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112588

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112588  
LIC-NUM 10BL604090  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2010-01-01  
FINAL-DEPTH (metres) 12.44  
DRILLED-DEPTH (metres)  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY KATSENO  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 7.00  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263990.00  
EASTING 306122.00  
LATITUDE 33 44' 47"  
LONGITUDE 150 54' 25"  
GS-MAP

AMG-ZONE 56  
COORD-SOURCE  
REMARK

**Form-A** [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 1//786558

**Licensed** [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 1 786558

**Construction** [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1	1	Casing	P.V.C.	0.00	0.00	50			

**Water Bearing Zones** [\(top\)](#)

no details

**Drillers Log** [\(top\)](#)

no details

---

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# Groundwater Works Summary

For information on the meaning of fields please see [Glossary](#)  
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[Works Details](#) [Site Details](#) [Form A](#) [Licensed](#) [Construction](#) [Water Bearing Zones](#) [Drillers Log](#)

## Work Requested -- GW112589

### Works Details [\(top\)](#)

GROUNDWATER NUMBER GW112589  
LIC-NUM 10BL604090  
AUTHORISED-PURPOSES MONITORING BORE  
INTENDED-PURPOSES MONITORING BORE  
WORK-TYPE Well  
WORK-STATUS  
CONSTRUCTION-METHOD  
OWNER-TYPE Private  
COMMENCE-DATE  
COMPLETION-DATE 2010-01-01  
FINAL-DEPTH (metres) 10.86  
DRILLED-DEPTH (metres)  
CONTRACTOR-NAME  
DRILLER-NAME  
PROPERTY KATSENO  
GWMA -  
GW-ZONE -  
STANDING-WATER-LEVEL 7.00  
SALINITY  
YIELD

### Site Details [\(top\)](#)

REGION 10 - SYDNEY SOUTH COAST  
RIVER-BASIN  
AREA-DISTRICT  
CMA-MAP  
GRID-ZONE  
SCALE  
ELEVATION  
ELEVATION-SOURCE  
NORTHING 6263978.00  
EASTING 306101.00  
LATITUDE 33 44' 48"  
LONGITUDE 150 54' 24"  
GS-MAP

AMG-ZONE 56  
COORD-SOURCE  
REMARK

### Form-A [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 1//786558

### Licensed [\(top\)](#)

COUNTY CUMBERLAND  
PARISH PROSPECT  
PORTION-LOT-DP 1 786558

### Construction [\(top\)](#)

Negative depths indicate Above Ground Level;H-Hole;P-Pipe;OD-Outside Diameter;  
ID-Inside Diameter;C-Cemented;SL-Slot Length;A-Aperture;GS-Grain Size;Q-Quantity

HOLE- NO	PIPE- NO	COMPONENT- CODE	COMPONENT- TYPE	DEPTH- FROM (metres)	DEPTH- TO (metres)	OD (mm)	ID (mm)	INTERVAL	DETAIL
1	1	Casing	P.V.C.	0.00	0.00	50			

### Water Bearing Zones [\(top\)](#)

no details

### Drillers Log [\(top\)](#)

no details

---

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Annex I

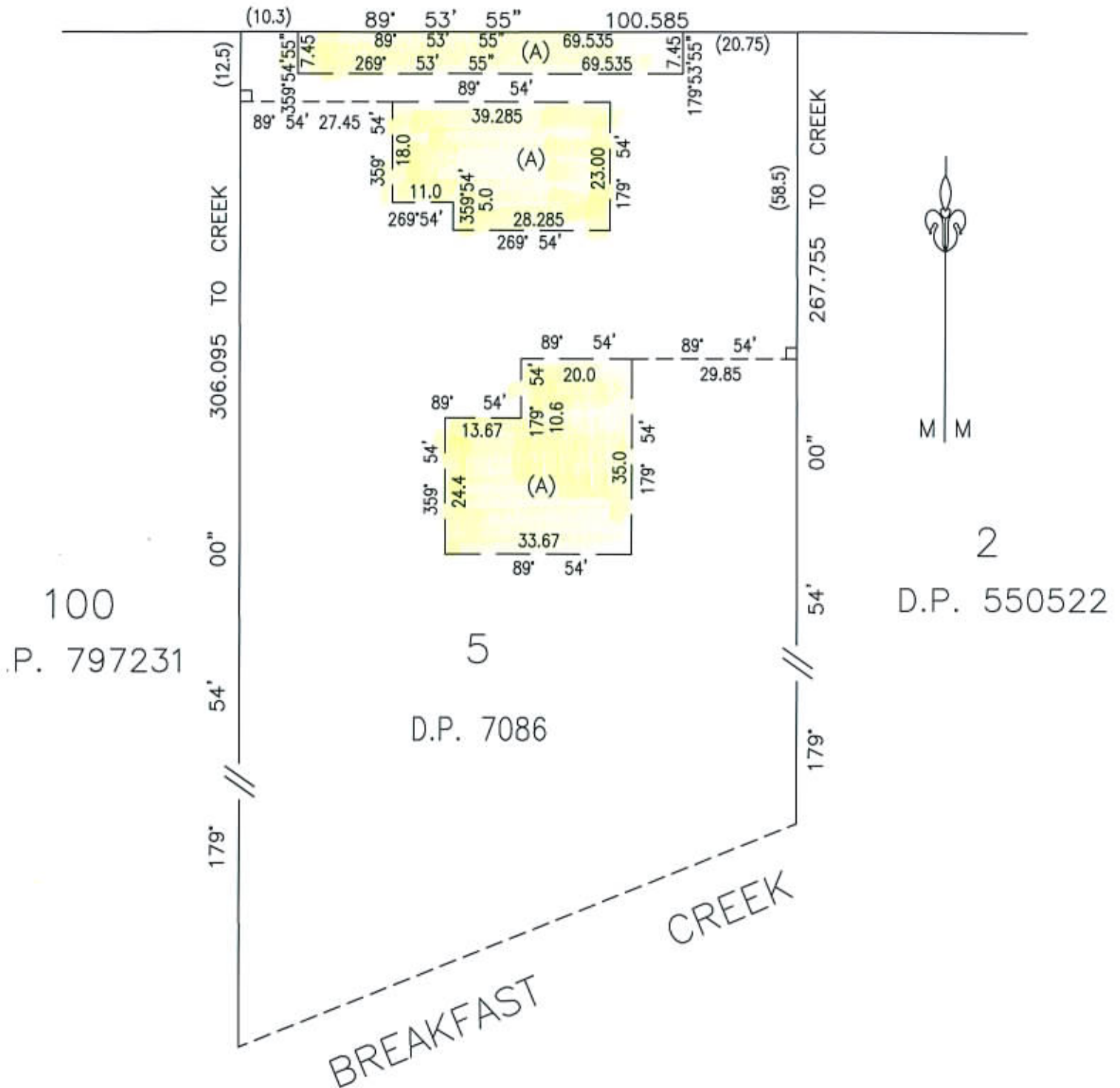
Plan Showing Restriction on  
Use of Land at Lot 5 DP7086

# ANNEXURE A

PLAN SHOWING SITE OF  
RESTRICTION ON THE USE OF LAND  
WITHIN LOT 5 IN DP 7086 AT BLACKTOWN  
PARISH OF PROSPECT  
COUNTY OF CUMBERLAND

SCALE 1:1000

TATTERSALL ROAD



2

D.P. 550522

Annex J

## Underground Service Plans



# Job No 7524070

Phone: 1100  
[www.1100.com.au](http://www.1100.com.au)

## Caller Details

**Contact:** Mr Nathan Hegerty  
**Company:** ERM  
**Address:** PO Box 5711  
Port Macquarie NSW 2444

**Caller Id:** 1014066  
**Mobile:** 0428627876  
**Email:** nathan.hegerty@erm.com  
**Phone:** 0265847155  
**Fax:** 0265847160

## Dig Site and Enquiry Details

**WARNING:** The map below only displays the location of the proposed dig site and does not display any asset owners' pipe or cables. The area highlighted has been used only to identify the participating asset owners, who will send information to you directly.



**User Reference:** 0226308  
**Working on Behalf of:** Private  
**Enquiry Date:** 13/06/2014  
**Start Date:** 18/06/2014  
**End Date:** 30/06/2014  
**Address:** 45 Tattersall Road  
Kings Park NSW 2148  
**Job Purpose:** Design  
**Onsite Activity:** Planning & Design  
**Location of Workplace:** Both  
**Location in Road:** CarriageWay, Footpath, Nature Strip

- Check that the location of the dig site is correct. If not you must submit a new enquiry.
- Should the scope of works change, or plan validity dates expire, you must submit a new enquiry.
- Do NOT dig without plans. Safe excavation is your responsibility. If you do not understand the plans or how to proceed safely, please contact the relevant asset owners.

### Notes/Description of Works:

Need plans for both 43 and 45 Tattersall Road

## Your Responsibilities and Duty of Care

- If plans are not received within 2 working days, contact the asset owners directly & quote their Sequence No.
- ALWAYS perform an onsite inspection for the presence of assets. Should you require an onsite location, contact the asset owners directly. Please remember, plans do not detail the exact location of assets.
- Pothole to establish the exact location of all underground assets using a hand shovel, before using heavy machinery.
- Ensure you adhere to any State legislative requirements regarding Duty of Care and safe digging requirements.
- If you damage an underground asset you MUST advise the asset owner immediately.
- By using this service, you agree to Privacy Policy and the terms and disclaimers set out at [www.1100.com.au](http://www.1100.com.au)
- For more information on safe excavation practices, visit [www.1100.com.au](http://www.1100.com.au)

## Asset Owner Details

The assets owners listed below have been requested to contact you with information about their asset locations within 2 working days. Additional time should be allowed for information issued by post. It is **your responsibility** to identify the presence of any underground assets in and around your proposed dig site. Please be aware, that not all asset owners are registered with the Dial Before You Dig service, so it is **your responsibility** to identify and contact any asset owners not listed here directly.

\*\* Asset owners highlighted by asterisks \*\* require that you visit their offices to collect plans.

# Asset owners highlighted with a hash require that you call them to discuss your enquiry or to obtain plans.

Seq. No.	Authority Name	Phone	Status
34494220	Endeavour Energy	0298534161	NOTIFIED
34494223	Jemena Gas West	1300880906	NOTIFIED
34494222	Optus and/or Uecomm, Nsw	1800505777	NOTIFIED
34494219	PIPE Networks, Nsw	1800201100	NOTIFIED
34494224	Sydney Water	132092	NOTIFIED
34494221	Telstra NSW, Central	1800653935	NOTIFIED

END OF UTILITIES LIST

**Lodge Your Free Enquiry Online – 24 Hours a Day, Seven Days a Week**

Head Office: 51 Huntingwood Drive Huntingwood NSW 2148

## ENDEAVOUR ENERGY

### DBYD Underground Search Report

Date: 17/06/2014

DBYD Sequence No: 34494220

DBYD Job No: 7524070

To:	Mr Nathan Hegerty	Company:	ERM
Address:	PO Box 5711, Port Macquarie, Nsw 2444		
Cust. ID:	1014066	Email:	nathan.hegerty@erm.com
Phone:	0265847155	Mobile:	0428627876
		Fax:	0265847160
Enquiry Location: 45 Tattersall Road, Kings Park, NSW 2148			

#### Our Search has shown that:

**UNDERGROUND CABLES ARE PRESENT** on our plans within the nominated enquiry location. This search is based on the graphical position of the excavation site as denoted in the DBYD customer confirmation sheet.

In conjunction with the disclaimer as shown on our plan, persons are expected to exercise all due care especially in the vicinity of Padmount and Pole Substation, Transmission Poles and Towers as Underground Earth Grids may exist but are not shown on our plans.

#### **WARNING:**

The customer must obtain a new set of plans from Endeavour Energy if work has not been started or completed within twenty (20) working days of the original plan issue date.

**All electrical apparatus shall be regarded as live until proved de-energised.** Contact with live electrical apparatus will cause severe injury or death.

Those excavating near Endeavour Energy's cables should be aware that **ASBESTOS OR ASBESTOS-CONTAINING MATERIAL MAY BE PRESENT** in Endeavour Energy's underground assets and that Organo-Chloride Pesticides (OCP) may be present in some sub-transmission trenches.

**In accordance with the Electricity Supply Act 1995, YOU ARE OBLIGED TO REPORT ANY DAMAGE TO ENDEAVOUR ENERGY'S ASSETS IMMEDIATELY BY CALLING 131003.**

#### **NOTE:**

For the safety of our customers, plans are provided as a free service and if further clarification of information is required, call 02 9853 4161.

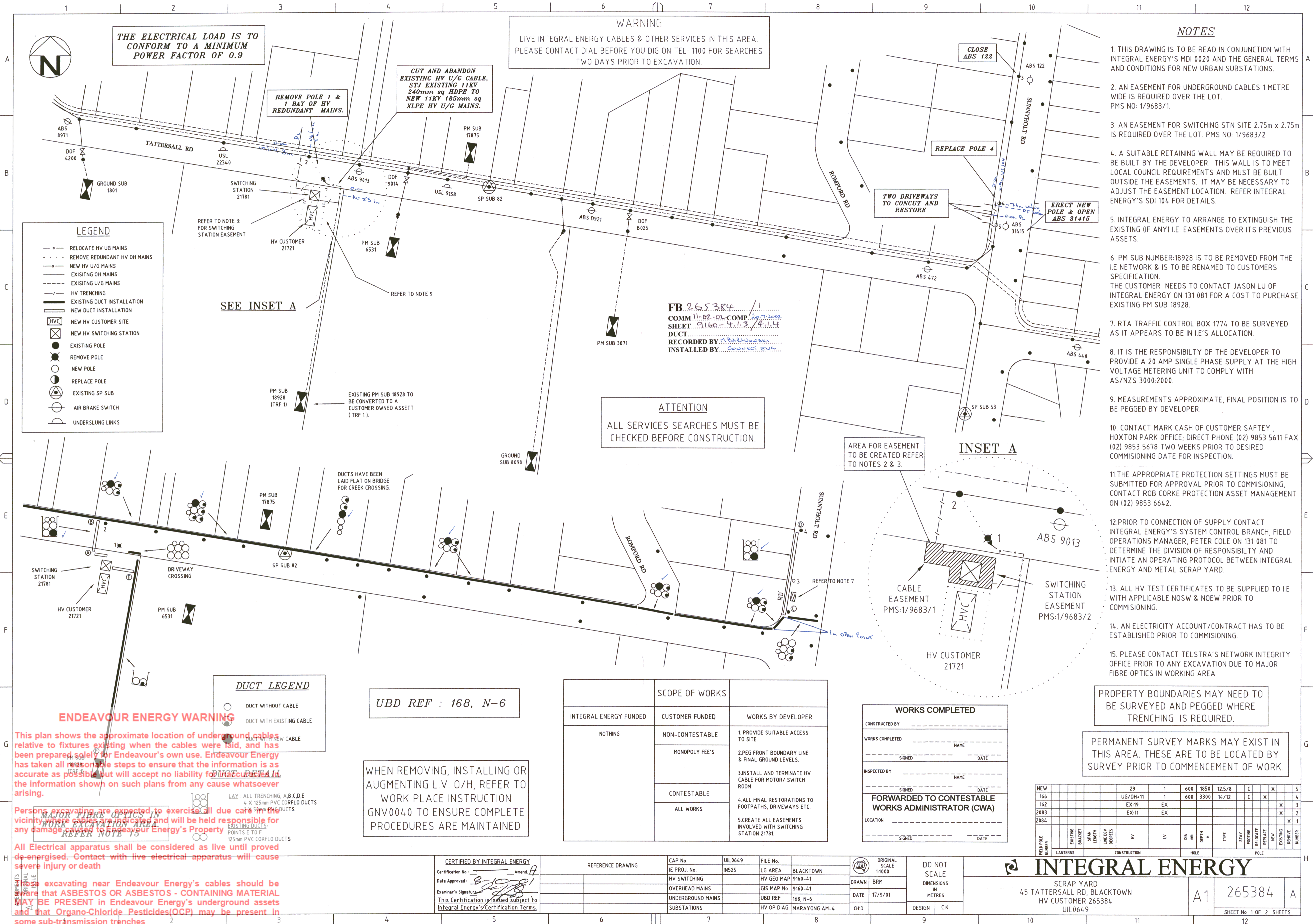
Endeavour Energy's assets are generally located in the road reserve. Endeavour Energy's plan does not show any underground customer service mains or information relating to service mains within private property.

All plans must be printed and made available at the worksite where excavation is to be undertaken. These plans must be reviewed and understood by the crew on site prior to excavation commencing.

The excavator must carry out work in accordance with the WorkCover Authority's 'Work Near Underground Asset Guideline'. This guideline can be downloading at [http://www.workcover.nsw.gov.au/formspublications/publications/Pages/WC01419\\_WorkNearUndergroundAssets.aspx](http://www.workcover.nsw.gov.au/formspublications/publications/Pages/WC01419_WorkNearUndergroundAssets.aspx)

If you are unable to print the plans, call 02 9853 4161 for assistance and arrange for plans to be collected from Head Office. Endeavour Energy does not mail the hard copy of plans.

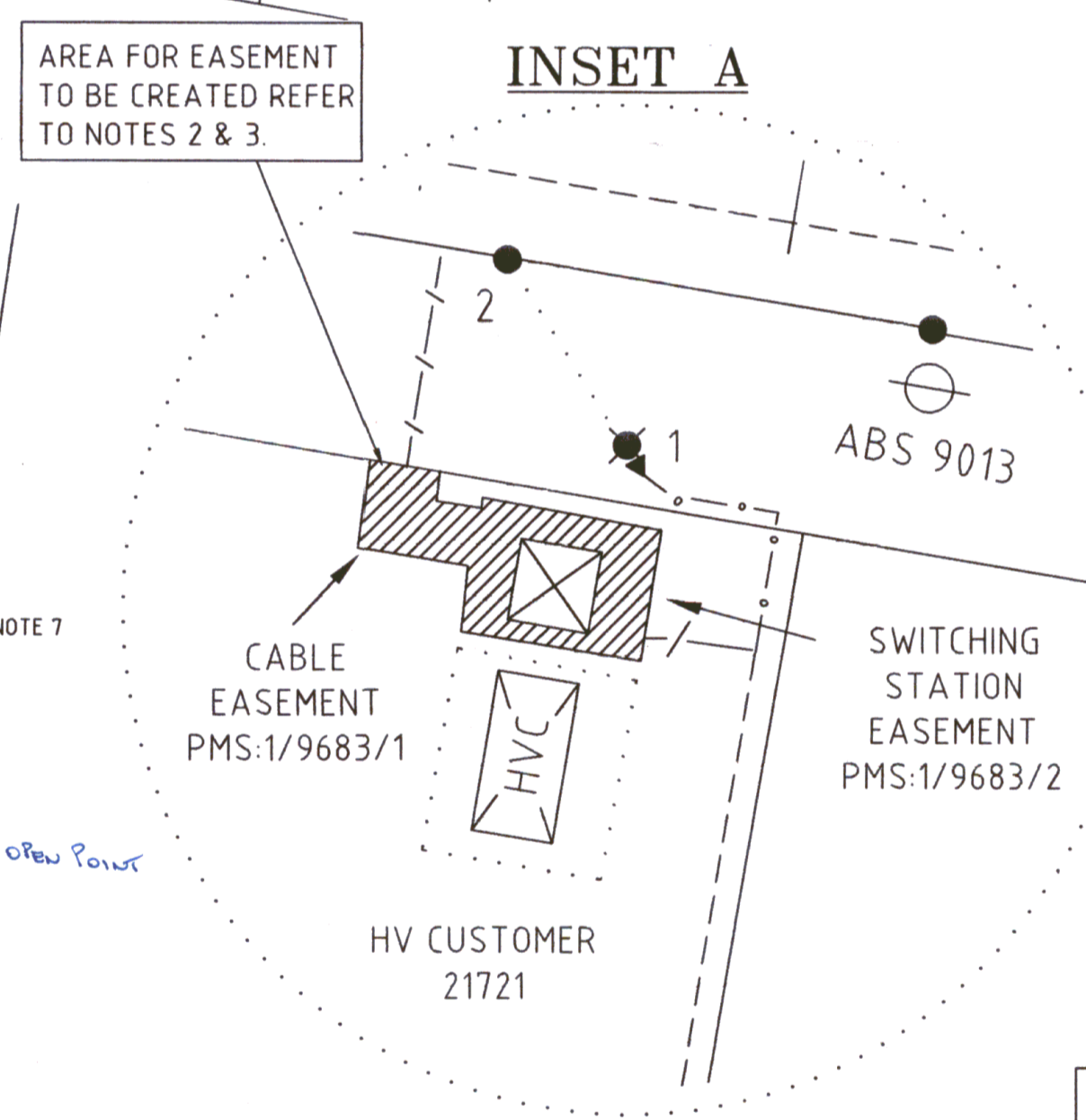
**Endeavour Energy thanks you for your assistance in the protection of Critical Infrastructure and your DBYD enquiry**



NOTES

1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH INTEGRAL ENERGY'S MDI 0020 AND THE GENERAL TERMS AND CONDITIONS FOR NEW URBAN SUBSTATIONS.
2. AN EASEMENT FOR UNDERGROUND CABLES 1 METRE WIDE IS REQUIRED OVER THE LOT. PMS NO: 1/9683/1.
3. AN EASEMENT FOR SWITCHING STN SITE 2.75m x 2.75m IS REQUIRED OVER THE LOT. PMS NO: 1/9683/2
4. A SUITABLE RETAINING WALL MAY BE REQUIRED TO BE BUILT BY THE DEVELOPER. THIS WALL IS TO MEET LOCAL COUNCIL REQUIREMENTS AND MUST BE BUILT OUTSIDE THE EASEMENTS. IT MAY BE NECESSARY TO ADJUST THE EASEMENT LOCATION. REFER INTEGRAL ENERGY'S SDI 104 FOR DETAILS.
5. INTEGRAL ENERGY TO ARRANGE TO EXTINGUISH THE EXISTING (IF ANY) I.E. EASEMENTS OVER ITS PREVIOUS ASSETS.
6. PM SUB NUMBER:18928 IS TO BE REMOVED FROM THE I.E NETWORK & IS TO BE RENAMED TO CUSTOMERS SPECIFICATION. THE CUSTOMER NEEDS TO CONTACT JASON LU OF INTEGRAL ENERGY ON 131 081 FOR A COST TO PURCHASE EXISTING PM SUB 18928.
7. RTA TRAFFIC CONTROL BOX 1774 TO BE SURVEYED AS IT APPEARS TO BE IN I.E'S ALLOCATION.
8. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PROVIDE A 20 AMP SINGLE PHASE SUPPLY AT THE HIGH VOLTAGE METERING UNIT TO COMPLY WITH AS/NZS 3000:2000.
9. MEASUREMENTS APPROXIMATE, FINAL POSITION IS TO BE PEGGED BY DEVELOPER.
10. CONTACT MARK CASH OF CUSTOMER SAFETY, HOXTON PARK OFFICE; DIRECT PHONE (02) 9853 5611 FAX (02) 9853 5678 TWO WEEKS PRIOR TO DESIRED COMMISSIONING DATE FOR INSPECTION.
11. THE APPROPRIATE PROTECTION SETTINGS MUST BE SUBMITTED FOR APPROVAL PRIOR TO COMMISSIONING, CONTACT ROB CORKE PROTECTION ASSET MANAGEMENT ON (02) 9853 6642.
12. PRIOR TO CONNECTION OF SUPPLY CONTACT INTEGRAL ENERGY'S SYSTEM CONTROL BRANCH, FIELD OPERATIONS MANAGER, PETER COLE ON 131 081 TO DETERMINE THE DIVISION OF RESPONSIBILITY AND INITIATE AN OPERATING PROTOCOL BETWEEN INTEGRAL ENERGY AND METAL SCRAP YARD.
13. ALL HV TEST CERTIFICATES TO BE SUPPLIED TO I.E WITH APPLICABLE NOSW & NOEW PRIOR TO COMMISSIONING.
14. AN ELECTRICITY ACCOUNT/CONTRACT HAS TO BE ESTABLISHED PRIOR TO COMMISSIONING.
15. PLEASE CONTACT TELSTRA'S NETWORK INTEGRITY OFFICE PRIOR TO ANY EXCAVATION DUE TO MAJOR FIBRE OPTICS IN WORKING AREA

INSET A



ATTENTION  
ALL SERVICES SEARCHES MUST BE CHECKED BEFORE CONSTRUCTION.

FB 265384 / 1  
COMM 11-02-01 COMP 26-7-2002  
SHEET 2160-413/414  
DUCT RECORDED BY: [Signature]  
INSTALLED BY: [Signature]

DUCT LEGEND

- DUCT WITHOUT CABLE
- DUCT WITH EXISTING CABLE
- DUCT WITH NEW CABLE

UBD REF : 168, N-6

WHEN REMOVING, INSTALLING OR AUGMENTING L.V. O/H, REFER TO WORK PLACE INSTRUCTION GNV0040 TO ENSURE COMPLETE PROCEDURES ARE MAINTAINED

SCOPE OF WORKS		
INTEGRAL ENERGY FUNDED	CUSTOMER FUNDED	WORKS BY DEVELOPER
NOTHING	NON-CONTESTABLE	1. PROVIDE SUITABLE ACCESS TO SITE.
	MONOPOLY FEE'S	2. PEG FRONT BOUNDARY LINE & FINAL GROUND LEVELS.
	CONTESTABLE	3. INSTALL AND TERMINATE HV CABLE FOR MOTOR/ SWITCH ROOM.
	ALL WORKS	4. ALL FINAL RESTORATIONS TO FOOTPATHS, DRIVEWAYS ETC.
		5. CREATE ALL EASEMENTS INVOLVED WITH SWITCHING STATION 21781.

WORKS COMPLETED	
CONSTRUCTED BY	NAME
WORKS COMPLETED	DATE
SIGNED	DATE
INSPECTED BY	NAME
SIGNED	DATE
FORWARDED TO CONTESTABLE WORKS ADMINISTRATOR (CWA)	
LOCATION	DATE
SIGNED	DATE

NEW	EXISTING	RELOCATED	REMOVED	NUMBER
166				4
162				3
2083				2
2084				1

**INTEGRAL ENERGY**

SCRAP YARD  
45 TATTERSALL RD, BLACKTOWN  
HV CUSTOMER 265384  
U1L0649

A1 265384 A

SHEET No 1 OF 2 SHEETS

This plan shows the approximate location of underground cables relative to features existing when the cables were laid, and has been prepared solely for Endeavour's own use. Endeavour Energy will make reasonable steps to ensure that the information is as accurate as possible but will accept no liability for inaccuracies in the information shown on such plans from any cause whatsoever.

Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage caused to Endeavour Energy's property.

All electrical apparatus shall be considered as live until proved de-energised. Contact with live electrical apparatus will cause severe injury or death.

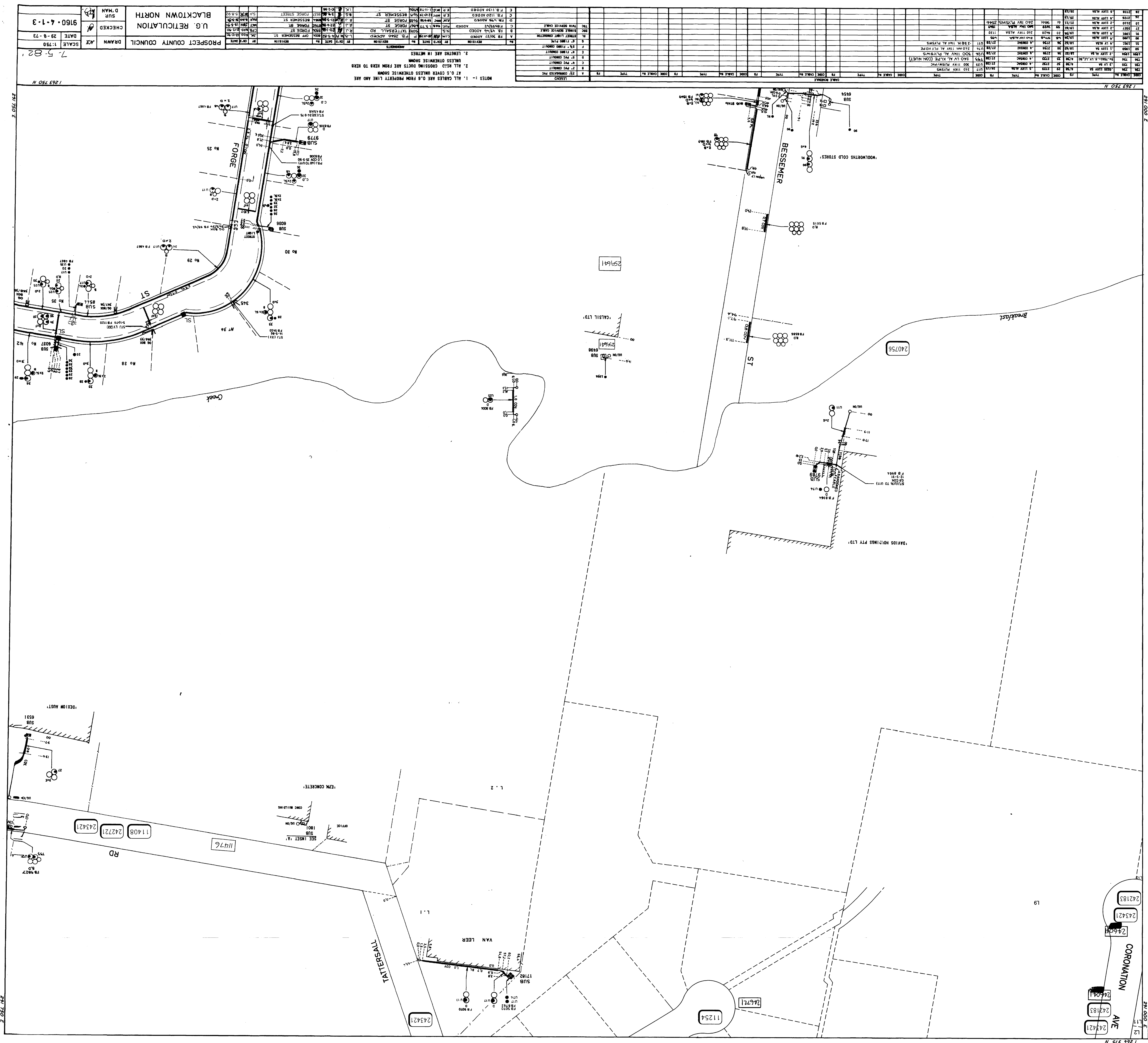
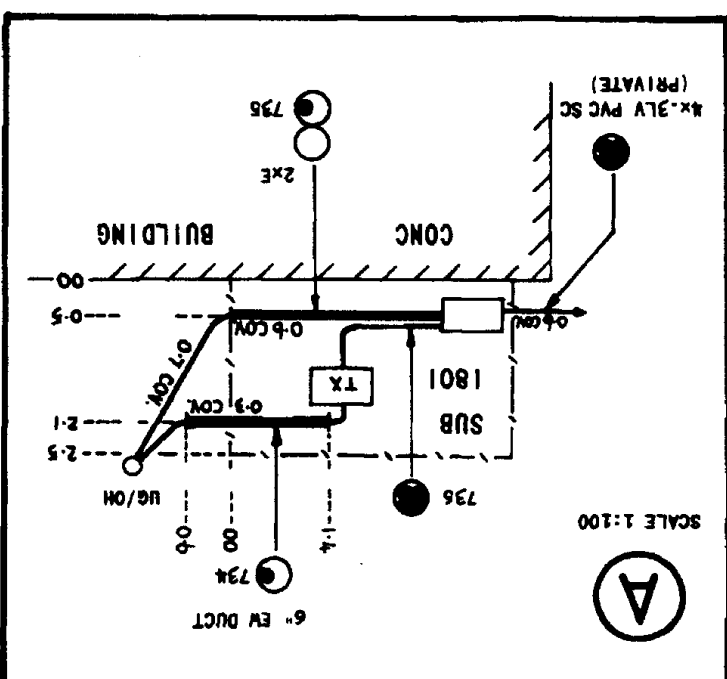
Those excavating near Endeavour Energy's cables should be aware that PRESENT OR ABSENT - CONTAINING MATERIAL may BE PRESENT in Endeavour Energy's underground assets and some sub-stationaries and/or cables may be present in some sub-stationaries and/or cables.

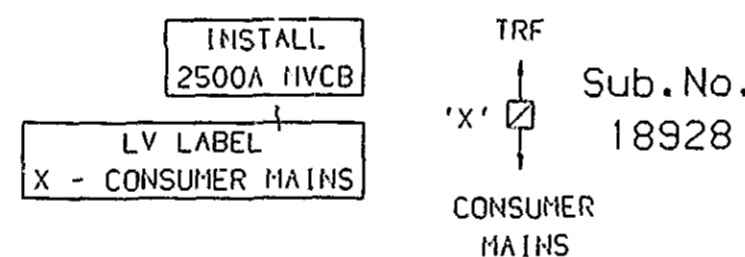
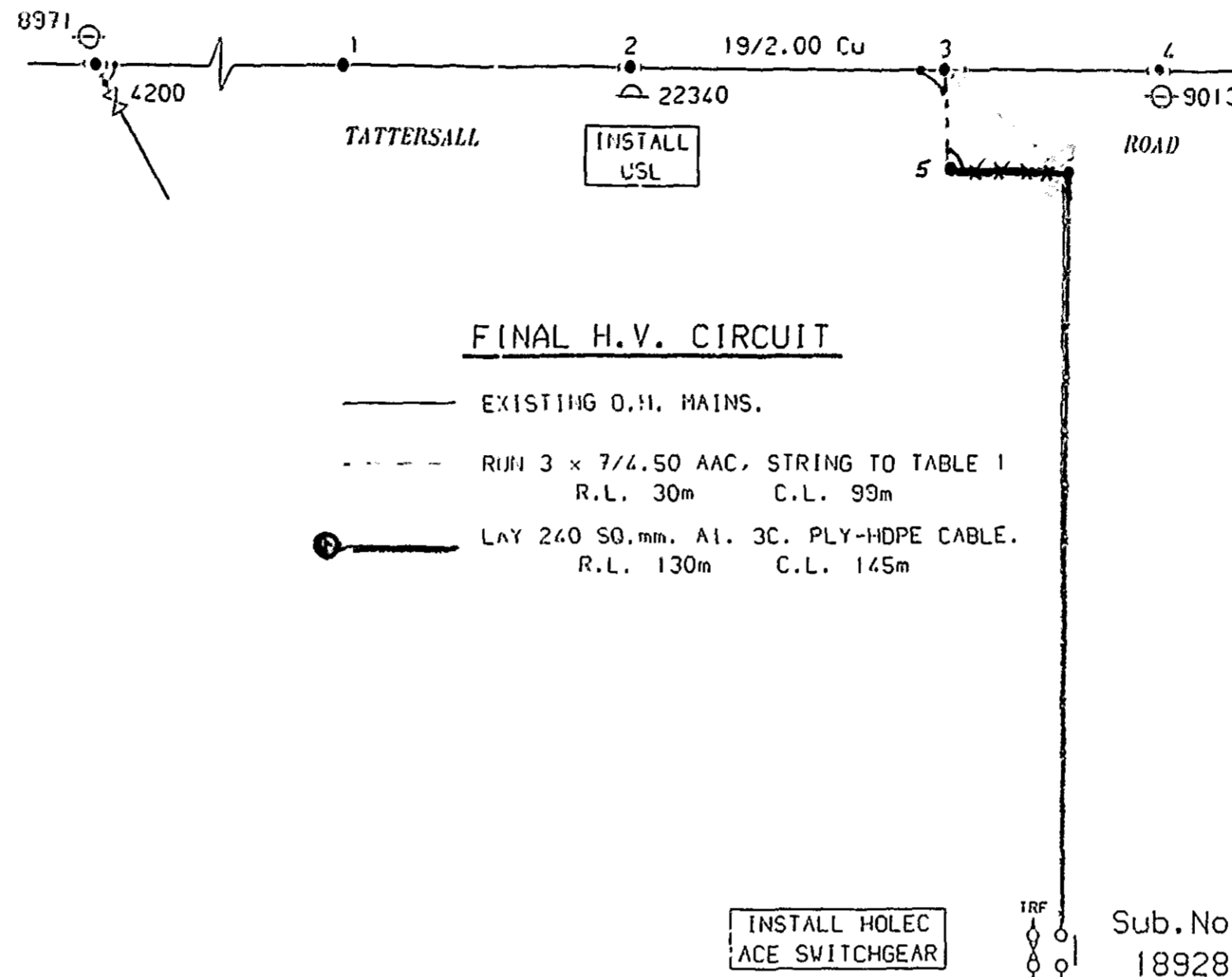
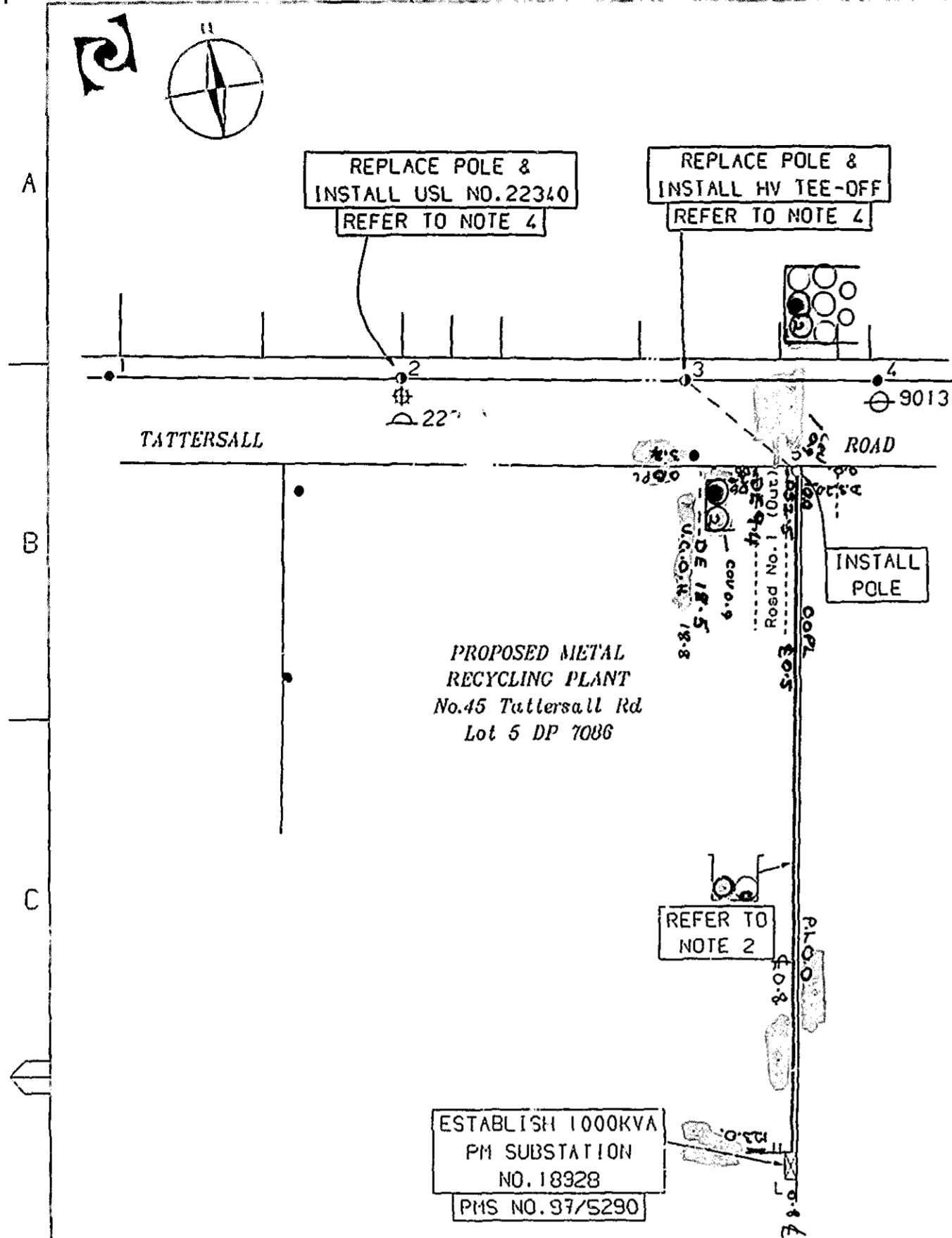
## ENDEAVOUR ENERGY WARNING

ISSUE DATE: 14-10-97  
~~21-11-97~~  
~~7-1-98~~  
~~23-98~~  
 5-02-2001



SCANNED





FINAL L.V. CIRCUIT  
(SUB.NO.18928)

- NOTES
1. DEVELOPER TO INSTALL CULVERT.
  2. DEVELOPER TO INSTALL 2 x 125mm PVC DUCTS. INTEGRAL ENERGY TO SUPPLY DUCTS.
  3. FOR EXACT LOCATION OF CABLE AND SUBSTATION EASEMENT, REFER TO EASEMENT DRAWING PREPARED BY MAJOR CUSTOMER ENGINEERING OFFICER.
  4. POLE 2 WITH TELSTRA ATTACHMENT AND POLES 2 & 3 WITH OPTUS ATTACHMENT.

ATTENTION:  
ALL SERVICES SEARCHES MUST BE CHECKED BEFORE CONSTRUCTION.

SERVICES SEARCHES  
DATE REQUESTED : 31/01/97

PERMANENT SURVEY MARKS EXIST IN THIS AREA. THESE ARE TO BE LOCATED BY SURVEY PRIOR TO COMMENCEMENT OF WORK.

PERMANENT SURVEY MARK  
DATE REQUESTED : 31/01/97

ATTENTION  
REGIONAL STAFF TO NOTIFY NETWORK DATA DAILY WHEN CABLE WORK IS IN PROGRESS  
PHONE:EXT - 4161

"IMPORTANT"

1. ALL alterations to this Project Drawing by the Construction Crews MUST be marked in RED daily by the responsible Foreman on the 'Works in Progress' drawing held in the Construction Office.
2. A FINAL field inspection with the above Drawing was carried out and is built as shown.

Name	Date	Foreman O/H
please print	please sign	
Name	Date	Foreman U/G
please print	please sign	
Name	Date	Foreman Subs
please print	please sign	

#### CABLE EASEMENT

DATE CABLE/S INSTALLED .....  
FOREMAN TO ENTER DATE INTO P M S No.97/5290

#### SUBSTATION EASEMENT

DATE PLINTH INSTALLED .....  
FOREMAN TO ENTER DATE INTO P M S No.97/5290

FB 242721  
COMMENCED 29-4-97  
COMPLETED 20-5-97  
SHEET 9165-4-13  
DUCT  
RECORDED Ph.1/10

DATE OF SITE VISIT BY D.O.E.O	PRODUCTION SUPERVISORS NAME	DATE GIVEN TO PRODUCTION SUPERVISOR FOR COMMENT	DATE OF PRODUCTION SUPERVISORS COMMENTS	REMARKS
31/01/97	K. ARCHER	03/02/97	03/02/97	APPEARS OK
	P. SAMUEL	03/02/97	11/02/97	TIME OK
	D. HITCHELL	03/02/97	03/02/97	OK

FIELD POLE NUMBER	DATE	TIME	CONSTRUCTION	HOLE	POLE	REMARKS
57	15/12	14/12	C	X	5	
58	11/15	14/12	C	X	4	
59	17	12/5/8	C	X	3	
60			C	X	2	
61			C	X	1	

**ENDEAVOUR ENERGY WARNING**

This plan shows the approximate location of underground cables relative to fixtures existing when the cables were laid, and has been prepared solely for Endeavour's own use. Endeavour Energy has taken all reasonable steps to ensure that the information is as accurate as possible but will accept no liability for inaccuracies in the information shown on such plans from any cause whatsoever arising.

Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage caused to Endeavour Energy's Property

All Electrical apparatus shall be considered as live until proved de-energised. Contact with live electrical apparatus will cause severe injury or death

Those excavating near Endeavour Energy's cables should be aware that ASBESTOS OR ASBESTOS-CONTAINING MATERIAL MAY BE PRESENT in Endeavour Energy's underground assets and that Organo-Chloride Pesticides (OCP) may be present in some sub-transmission trenches

PROJECT MANAGEMENT	HO7145	LG AREA	BLACKTOWN CC
SUPERVISION	FC1271	REGION	HILLS
DESIGN	GC7324	HV GEO MAP	9160-4 REF
OVERHEAD MAINS	VC7284	LV MAP	9160-41
UNDERGROUND MAINS	VC7277	ST L1 MAP	9160-41
SUBSTATIONS	VC1280	HV SCHEM	MAHAYONG RLF X3

ORIGINAL SCALE	1000
REGIONAL MANAGER	J.B.
DESIGN	J.B.
PROJECT SERVICES	J.B.

INTEGRAL ENERGY
TATTERSALL RD
KINGS PARK
NEW 1000KVA PM SUBSTATION
J.BROADHEAD
GENERAL MANAGER NETWORK
242721
SHEET No 1 OF 1 SHEETS
DATE: 10-1-97



**ATTENTION**  
ALL SERVICES SEARCHES MUST BE CHECKED BEFORE CONSTRUCTION.

PROPERTY BOUNDARIES MAY NEED TO BE SURVEYED AND PEGGED WHERE TRENCHING IS REQUIRED.

**WARNING**  
LIVE INTEGRAL ENERGY CABLES & OTHER SERVICES IN THIS AREA.  
PLEASE CONTACT DIAL BEFORE YOU DIG ON TEL: 1100 FOR SEARCHES TWO DAYS PRIOR TO EXCAVATION.

UBD REF : 168, N-6

**NOTES**

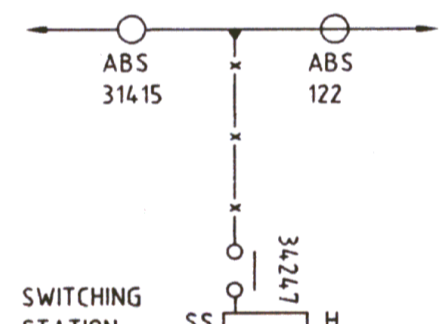
1. THIS DRAWING IS TO BE READ IN CONJUNCTION WITH INTEGRAL ENERGY'S MDI 0020 AND THE GENERAL TERMS AND CONDITIONS FOR NEW URBAN SUBSTATIONS.
2. AN EASEMENT FOR UNDERGROUND CABLES 1 METRE WIDE IS REQUIRED OVER THE LOT. PMS NO: 1/9683/1.
3. AN EASEMENT FOR SWITCHING STN SITE 2.75m x 2.75m IS REQUIRED OVER THE LOT. PMS NO: 1/9683/2
4. A SUITABLE RETAINING WALL MAY BE REQUIRED TO BE BUILT BY THE DEVELOPER. THIS WALL IS TO MEET LOCAL COUNCIL REQUIREMENTS AND MUST BE BUILT OUTSIDE THE EASEMENTS. IT MAY BE NECESSARY TO ADJUST THE EASEMENT LOCATION. REFER INTEGRAL ENERGY'S SDI 104 FOR DETAILS.
5. INTEGRAL ENERGY TO ARRANGE TO EXTINGUISH THE EXISTING (IF ANY) I.E. EASEMENTS OVER ITS PREVIOUS ASSETS.
6. PM SUB NUMBER 18928 IS TO BE REMOVED FROM THE I.E NETWORK & IS TO BE RENAMED TO CUSTOMER'S SPECIFICATION. THE CUSTOMER NEEDS TO CONTACT JASON LU OF INTEGRAL ENERGY ON 131 081 FOR A COST TO PURCHASE EXISTING PM SUB 18928.
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9. MEASUREMENTS APPROXIMATE, FINAL POSITION IS TO BE PEGGED BY DEVELOPER.
10. CONTACT MARK CASH OF CUSTOMER SAFETY, HOXTON PARK OFFICE, DIRECT PHONE (02) 9853 5611 FAX (02) 9853 5678 TWO WEEKS PRIOR TO DESIRED COMMISSIONING DATE FOR INSPECTION.

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12. PRIOR TO CONNECTION OF SUPPLY CONTACT INTEGRAL ENERGY'S SYSTEM CONTROL BRANCH, FIELD OPERATIONS MANAGER, PETER COLE ON 131 081 TO DETERMINE THE DIVISION OF RESPONSIBILITY AND INITIATE AN OPERATING PROTOCOL BETWEEN INTEGRAL ENERGY AND METAL SCRAP YARD.
13. ALL HV TEST CERTIFICATES TO BE SUPPLIED TO I.E WITH APPLICABLE NOSW & NOEW PRIOR TO COMMISSIONING.
14. AN ELECTRICITY ACCOUNT/CONTRACT HAS TO BE ESTABLISHED PRIOR TO COMMISSIONING.
15. PLEASE CONTACT TELSTRA'S NETWORK INTEGRITY OFFICE PRIOR TO ANY EXCAVATION DUE TO MAJOR FIBRE OPTICS IN WORKING AREA

WORKS COMPLETED	
CONSTRUCTED BY	_____
WORKS COMPLETED	NAME _____ DATE _____
INSPECTED BY	NAME _____ DATE _____
FORWARDED TO CONTESTABLE WORKS ADMINISTRATOR (CWA)	
LOCATION	_____
SIGNED	_____ DATE _____

**MAJOR FIBRE OPTICS IN WORK EXCAVATION AREA. REFER NOTE 15**

**SINGLE LINE DIAGRAM**



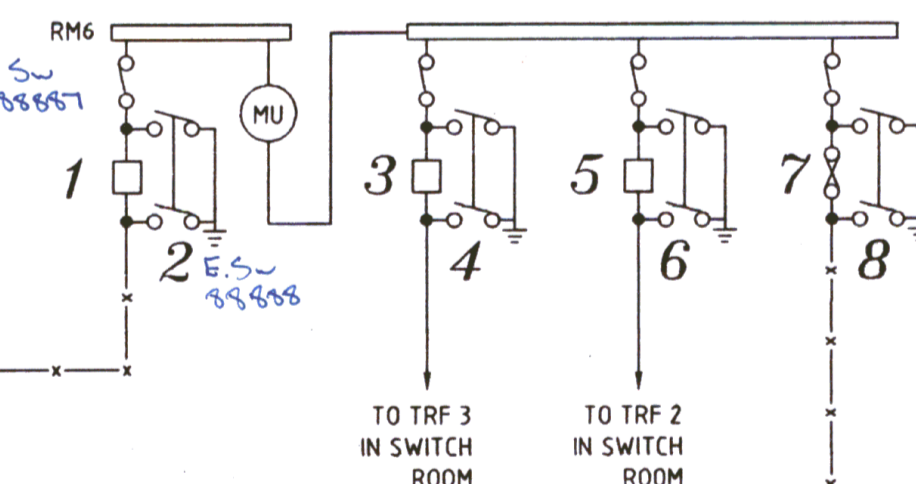
EARTHING REQUIREMENTS FOR SWITCHING STATION 21781 ARE TO BE IN ACCORDANCE WITH INTEGRAL ENERGY'S SDI 100

**INTEGRAL ENERGY'S 11KV NETWORK**

**CUSTOMER'S 11KV NETWORK CUSTOMERS RESPONSIBILITY**

THE CUSTOMER'S 11KV OWNED NETWORK IS TO BE CONSTRUCTED OR CONVERTED TO AS/NZS 3000:2000 WIRING RULES & NSW SERVICE & INSTALLATION RULES. THIS INCLUDES THE EARTHING & LABELLING FOR TRF 1 (PM SUB 18928) AND THE NEW HV SWITCHGEAR AS WELL AS ALL OTHER REQUIREMENTS FOR TRF 1 (PM SUB 18928)

**HVC 21721**



**HVC 21721 MAIN SWITCHBOARD**

SWITCH NO:	SWITCH TYPE	LOCATION/DESCRIPTION
1	CB	MAIN SWITCH
2	EARTH SWITCH	EARTH SWITCH FOR CB1
3	CB	SUB CCT TO CUSTOMER TRF 3 IN SWITCH ROOM
4	EARTH SWITCH	EARTH SWITCH FOR CB3
5	CB	SUB CCT TO CUSTOMER TRF 2 IN SWITCH ROOM
6	EARTH SWITCH	EARTH SWITCH FOR CB5
7	FUSE SWITCH	SUB CCT TO TRANSFORMER 1
8	EARTH SWITCH	EARTH SWITCH FOR FUSE SWITCH 7
9	TRF ISOLATOR	TRF ISOLATOR SWITCH
10	TRF FUSE	TRF FUSE

NEW	EXISTING	BRACKET	SPAN	LINE DEVI	TYPE	STAY	FOOTING	RELOCATE	REPLACE	NEW	EXISTING	REMOVE	NUMBER
166					UG/OH+11								4
162					EX-19								3
2083					EX-11								2
2084													1

**INTEGRAL ENERGY**

SCRAP YARD  
45 TATTERSALL RD, BLACKTOWN  
HV CUSTOMER 265384  
UIL0649

A1 265384 A  
SHEET No 2 OF 2 SHEETS

This plan shows the approximate location of underground cables relative to fixtures existing when the cables were laid, and has been prepared solely for Endeavour Energy's use. Endeavour Energy has taken all reasonable steps to ensure that the information is as accurate as possible but will accept no liability for inaccuracies in the information shown on such plans from any cause whatsoever arising.

Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage caused to Endeavour Energy's Property

All Electrical apparatus shall be considered as live until proved de-energised. Contact with live electrical apparatus will cause serious injury or death

Those excavating near Endeavour Energy's cables should be aware that ASBESTOS OR ASBESTOS - CONTAINING MATERIAL MAY BE PRESENT IN Endeavour Energy's underground assets and that Organo-Chloride Pesticides (OCP) may be present in some sub-transmission trenches

	SCOPE OF WORKS	
INTEGRAL ENERGY FUNDED	CUSTOMER FUNDED	WORKS BY DEVELOPER
NOTHING	NON-CONTESTABLE	1. PROVIDE SUITABLE ACCESS TO SITE.
	MONOPOLY FEE'S	2. PEG FRONT BOUNDARY LINE & FINAL GROUND LEVELS.
	CONTESTABLE	3. INSTALL AND TERMINATE HV CABLE FOR MOTOR/ SWITCH ROOM.
	ALL WORKS	4. ALL FINAL RESTORATIONS TO FOOTPATHS, DRIVEWAYS ETC.
		5. CREATE ALL EASEMENTS INVOLVED WITH SWITCHING STATION 21781.

**CERTIFIED BY INTEGRAL ENERGY**

Certification No: 8-10-01  
Date Approved: 17/06/2014  
Examiner's Signature: [Signature]  
This Certification is issued subject to Integral Energy's Certification Terms.

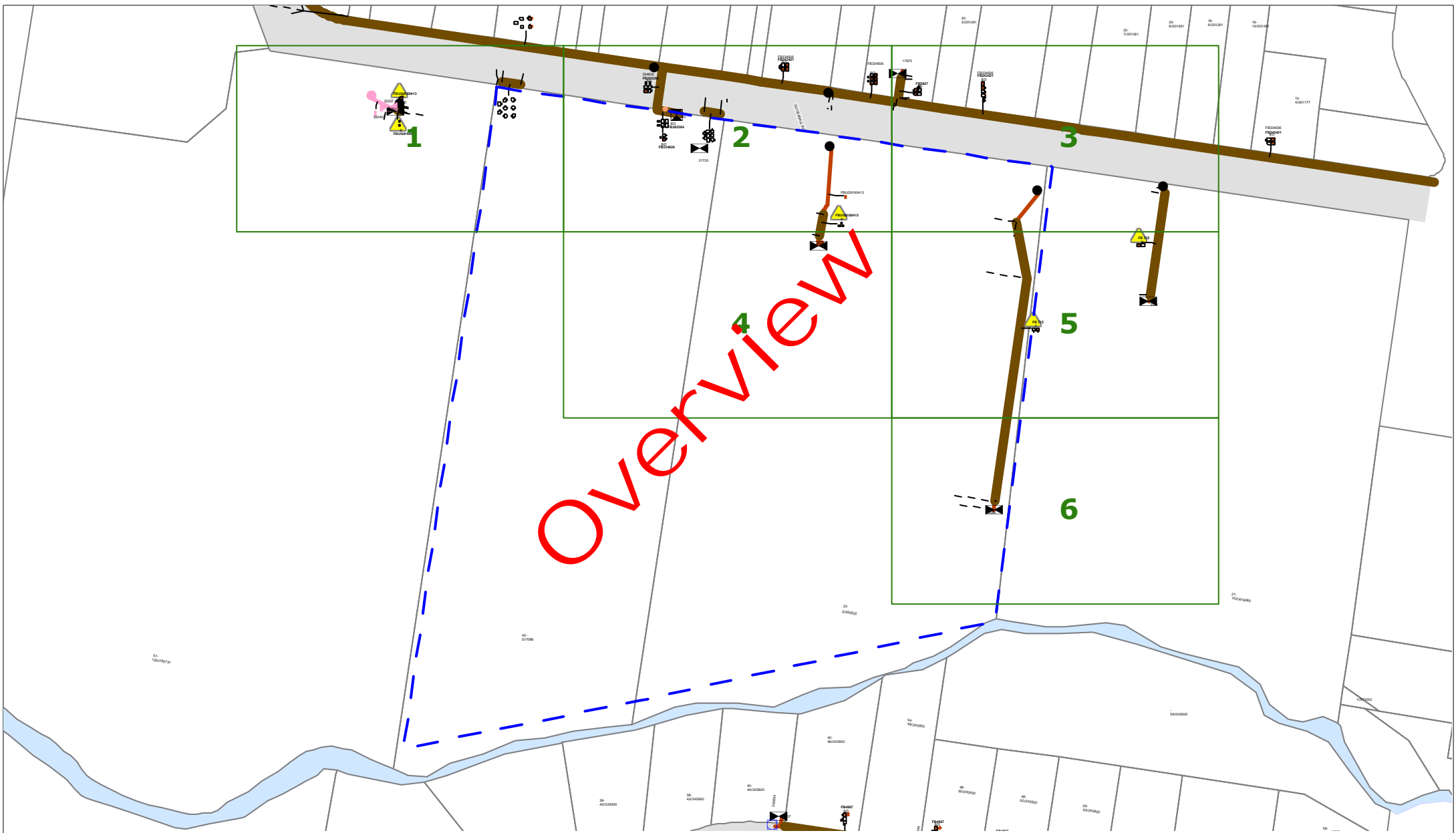

**REFERENCE DRAWING**

CAP No.	UIL0649	FILE No.	
IE PROJ. No.	IN525	LG AREA	BLACKTOWN
HV SWITCHING		HV GEO MAP	9160-41
OVERHEAD MAINS		GIS MAP No	9160-41
UNDERGROUND MAINS		UBD REF	168, N-6
SUBSTATIONS		HV OP DIAG	MARAYONG AM-4

**ORIGINAL SCALE 1:1000**

DRAWN: BRM  
DATE: 17/9/01  
CHKD: CHD

DO NOT SCALE DIMENSIONS IN METRES  
DESIGN: C.K.

**WARNING**  
**ASBESTOS**


**ENDEAVOUR ENERGY WARNING**

This plan shows the approximate location of underground cables relative to fixtures existing when the cables were laid, and has been prepared solely for Endeavour Energy's own use. Endeavour Energy has taken all reasonable steps to ensure that the information is accurate as possible but will accept no liability for inaccuracies in the information shown on such plans from any cause whatsoever arising. Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage caused to Endeavour Energy's property.

**ALL ELECTRICAL APPARATUS SHALL BE CONSIDERED LIVE UNTIL PROVED DE-ENERGISED.**  
Contact with live electrical apparatus will cause severe injury or death.

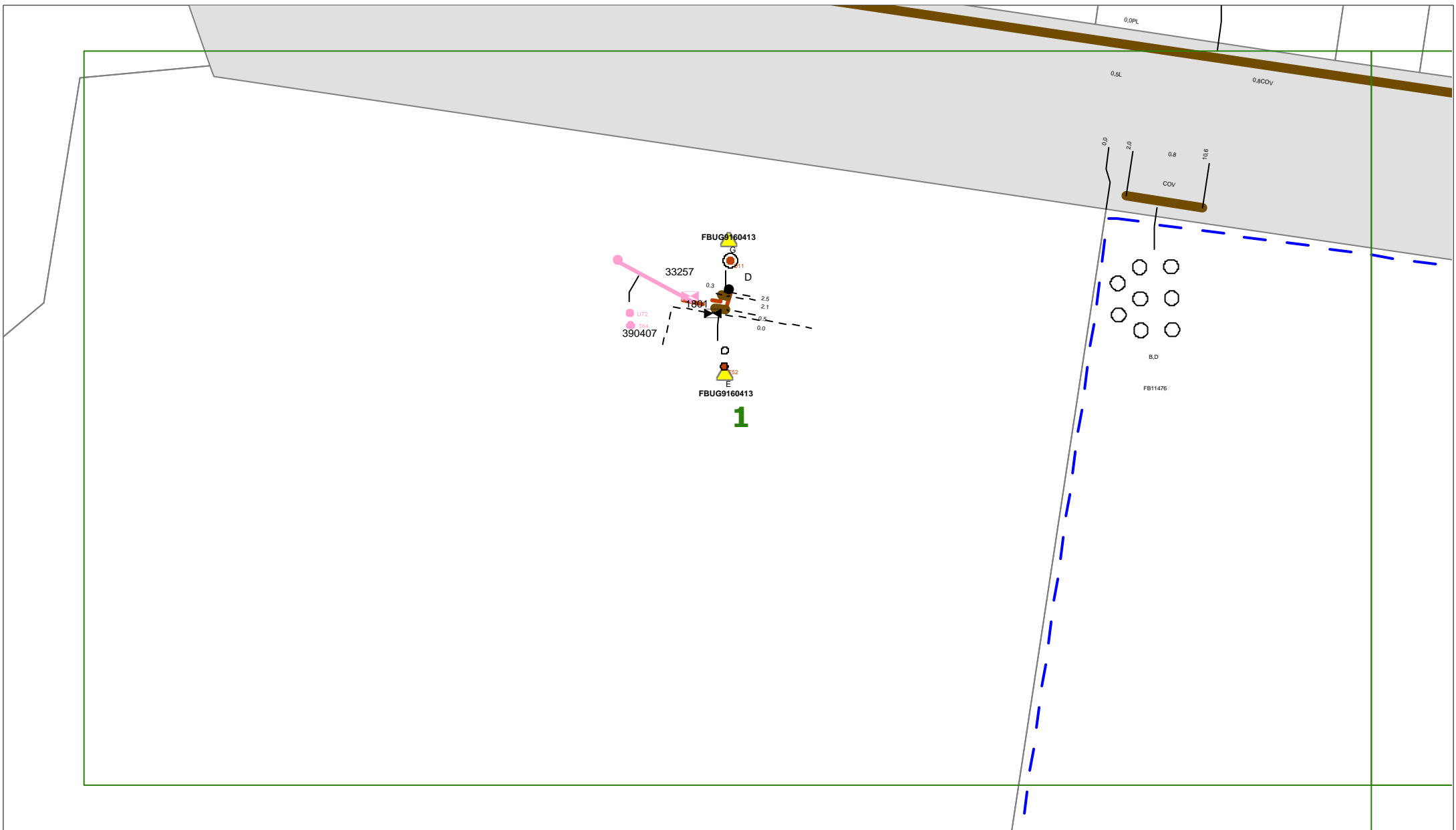
Those excavating near Endeavour Energy's cables should be aware that **ASBESTOS OR ASBESTOS - CONTAINING MATERIAL MAY BE PRESENT** in Endeavour Energy's underground assets and that Organo-Chloride Pesticides(OCP) may be present in some sub-transmission trenches.

N



DO NOT SCALE

DBYD Sequence Number:	34494220
Issued Date:	17/06/2014



#### ENDEAVOUR ENERGY WARNING

This plan shows the approximate location of underground cables relative to fixtures existing when the cables were laid, and has been prepared solely for Endeavour Energy's own use. Endeavour Energy has taken all reasonable steps to ensure that the information is accurate as possible but will accept no liability for inaccuracies in the information shown on such plans from any cause whatsoever arising. Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage caused to Endeavour Energy's property.

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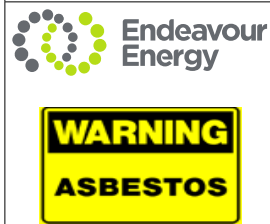
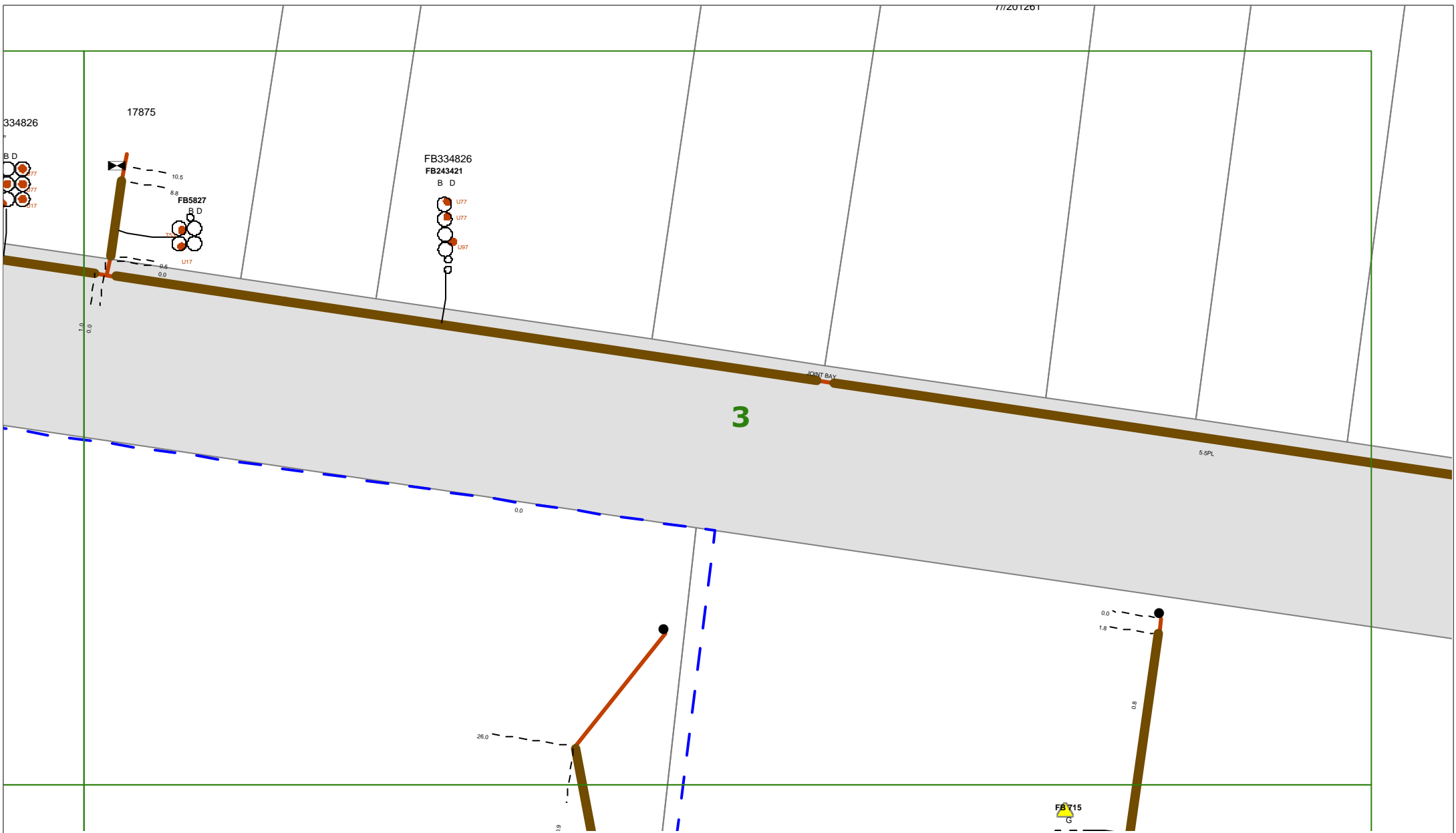
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DO NOT SCALE

DBYD Sequence Number:	34494220
Issued Date:	17/06/2014



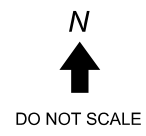


**ENDEAVOUR ENERGY WARNING**

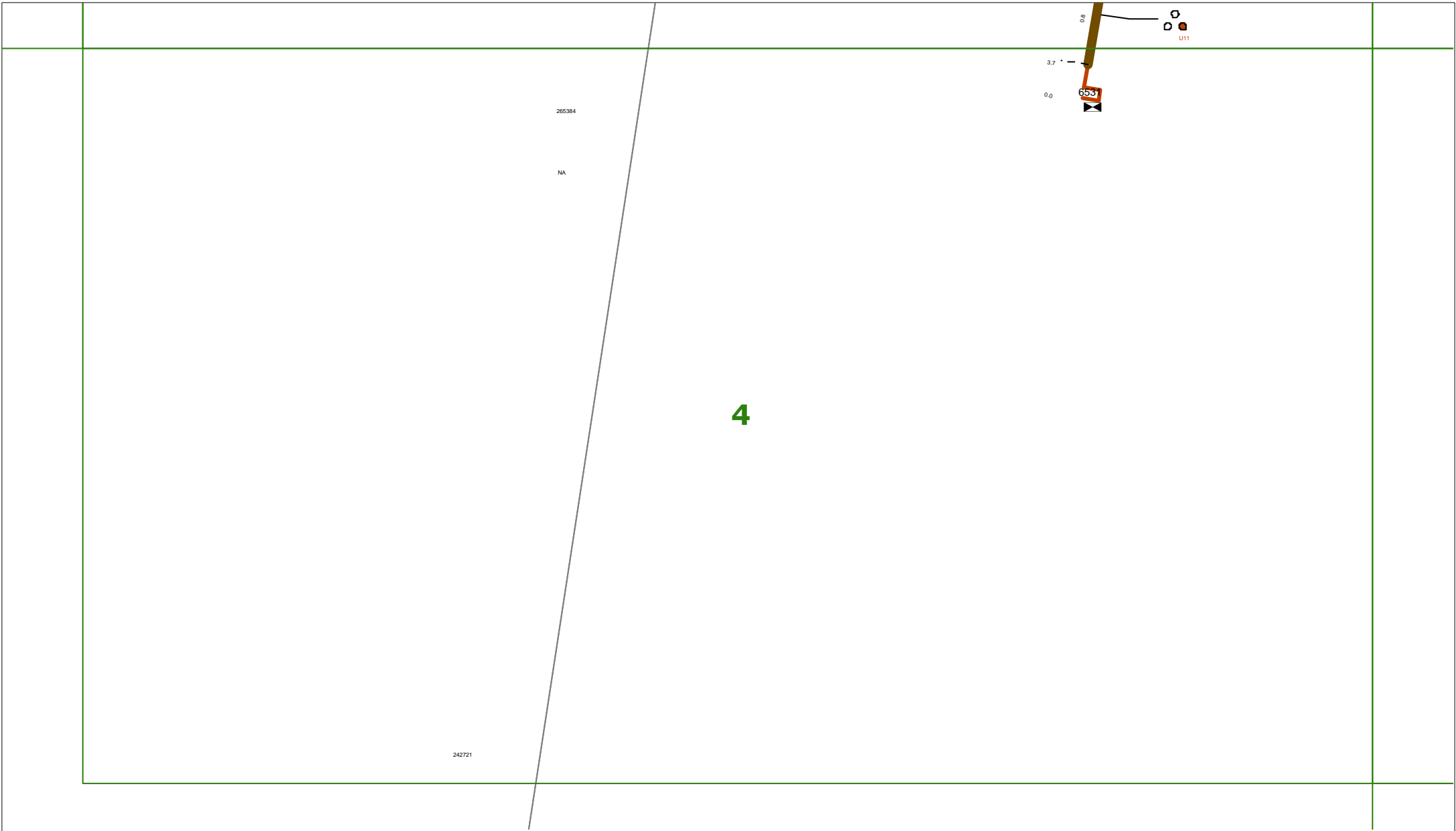
This plan shows the approximate location of underground cables relative to fixtures existing when the cables were laid, and has been prepared solely for Endeavour Energy's own use. Endeavour Energy has taken all reasonable steps to ensure that the information is accurate as possible but will accept no liability for inaccuracies in the information shown on such plans from any cause whatsoever arising. Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage caused to Endeavour Energy's property.

**ALL ELECTRICAL APPARATUS SHALL BE CONSIDERED LIVE UNTIL PROVED DE-ENERGISED.**  
Contact with live electrical apparatus will cause severe injury or death.

Those excavating near Endeavour Energy's cables should be aware that **ASBESTOS OR ASBESTOS - CONTAINING MATERIAL MAY BE PRESENT** in Endeavour Energy's underground assets and that Organo-Chloride Pesticides(OCP) may be present in some sub-transmission trenches.



DBYD Sequence Number:	34494220
Issued Date:	17/06/2014



**ENDEAVOUR ENERGY WARNING**

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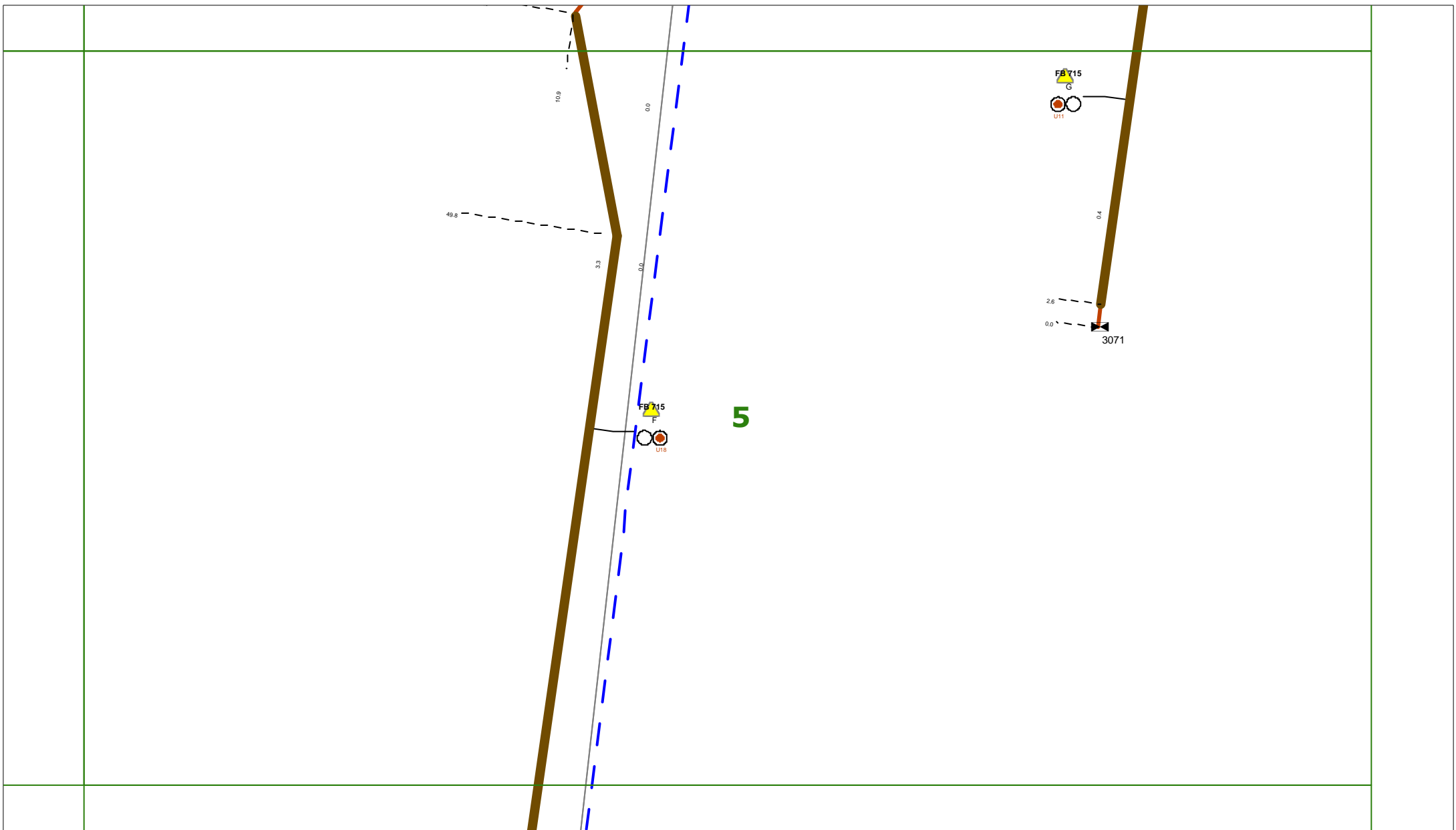
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DO NOT SCALE

DBYD Sequence Number:	34494220
Issued Date:	17/06/2014



#### ENDEAVOUR ENERGY WARNING

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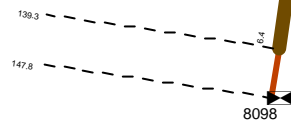
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DO NOT SCALE

DBYD Sequence Number:	34494220
Issued Date:	17/06/2014



6

21-  
102/6



#### ENDEAVOUR ENERGY WARNING

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**ALL ELECTRICAL APPARATUS SHALL BE CONSIDERED LIVE UNTIL PROVED DE-ENERGISED.**  
Contact with live electrical apparatus will cause severe injury or death.

Those excavating near Endeavour Energy's cables should be aware that **ASBESTOS OR ASBESTOS - CONTAINING MATERIAL MAY BE PRESENT** in Endeavour Energy's underground assets and that Organo-Chloride Pesticides(OCP) may be present in some sub-transmission trenches.



DO NOT SCALE

DBYD Sequence Number:	34494220
Issued Date:	17/06/2014

## IMPORTANT INFORMATION READ BEFORE EXCAVATING

### **Background**

Endeavour Energy is able to make available plans of its underground assets to persons who intend to undertake excavation works in Endeavour Energy's distribution area.

We have set out below important information regarding the recommended procedures that should be followed when using this service and also the extent of our responsibility in respect of any plans provided.

**Any plans provided to you are made available subject to the provisions set out below.**

**It is very important that you read and understand all the information and disclaimers provided below before making a request for plans.**

### **Information Provided by Endeavour Energy**

- Any plans provided pursuant to this service are intended to show the approximate location of underground cables relative to fixtures when cables were laid.
- Such plans have been prepared solely for use by Endeavour Energy staff for design, construction and maintenance purposes.
- All enquiry details and results are kept in a register.

### **DISCLAIMER**

Whilst Endeavour Energy has taken all reasonable steps to ensure that the information contained in the plans is as accurate as possible it will accept no liability for inaccuracies in the information shown on such plans.

### **CUSTOMER REQUESTS AND RESPONSIBILITIES:**

- If you intend to undertake any excavation work in Endeavour Energy's distribution area, it is your responsibility to contact **1100 – Dial Before You Dig or [www.1100.com.au](http://www.1100.com.au)** and request plans, at least three working days prior to the proposed excavation date.
- Endeavour Energy expects to be able to provide relevant plans within 48 hours after a request is made.
- Endeavour Energy plans are frequently updated to record changes to underground assets. All plans are valid for **20** working days only from the date of issue therefore excavation should take place as soon as possible after the plans have been received. All plans provided by Endeavour Energy are subject to the warning set out below.
- Endeavour Energy retains copyright over all plans and details provided in response with customer's request.
- Persons excavating are expected to exercise all due care in the vicinity where cables are indicated and will be held responsible for any damage to any underground assets (including any Endeavour Energy property) or any other loss caused (including consequential losses) as a result of such excavations. All underground assets should be visually located by hand digging (pot holing).

- **Any damage to Endeavour Energy's assets must be reported to it on 131003 immediately.**

#### **Further Information:**

- Individual customer service cables are not shown on Endeavour Energy's plans.
- For further clarification on cable locations or the correct interpretation of the plan or for assistance with printing plans, please contact **02 98534161** between 8.00am – 4.30pm, Monday to Friday.
- For information concerning proposed works affecting your property contact Endeavour Energy's Contestable Works Administrators nearest Service Centre.

#### **WARNING:**

Endeavour Energy's plans show only the presence of cables and their position relative to road boundaries, property fences and other structures at the time of installation. Endeavour Energy does not warrant or hold that such plans are accurate.

A person who undertakes excavation work is subject to duties and responsibilities under the *Work Health and Safety Act 2011 (NSW)*. The WorkCover Authority has prepared the *Work Near Underground Assets Guideline*, which contains practical advice for working near underground utility services and guidance as to how to meet the requirements of the *Work Health and Safety Act 2011 (NSW)* when carrying out excavation work.

**DO NOT ASSUME DEPTH OR ALIGNMENT** of cables as these vary significantly as a result of changes to road widths, road levels, fences or buildings subsequent to installation.

Persons excavating have a **DUTY OF CARE** when excavating near Endeavour Energy's cables. Before using machine excavators, Endeavour Energy's cables **MUST FIRST BE PHYSICALLY EXPOSED BY SOFT DIG** (pot holing) to identify its location.

Those excavating near Endeavour Energy's cables should be aware that asbestos or asbestos-containing material may be present in Endeavour Energy's underground assets and that Organo-Chloride Pesticides (OCP) may be present in some sub-transmission trenches. Please refer below (pages 4 & 5) for the method for identifying asbestos ducts.

**ALL ELECTRICAL APPARATUS SHALL BE REGARDED AS LIVE UNTIL PROVED DE-ENERGISED.** Contact with live electrical apparatus will cause severe injury or death.

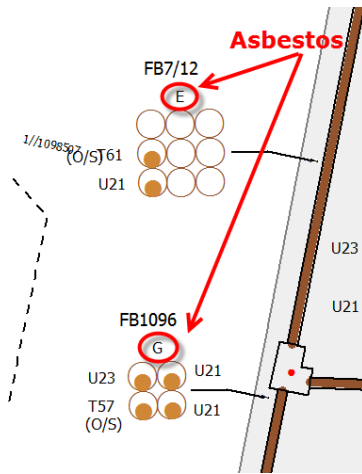
In all cases of electric shock or suspected electric shock the victim shall immediately be transported to hospital or medical centre for treatment.

Duct/cable cross section points to the duct/cable route that it refers to.  
Field book reference and duct codes are shown above duct cross section.  
Cable codes are shown next to the cable cross sections.



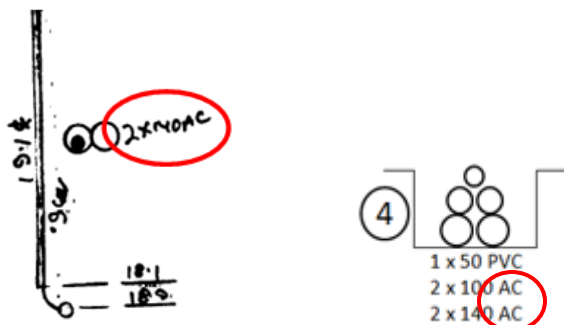
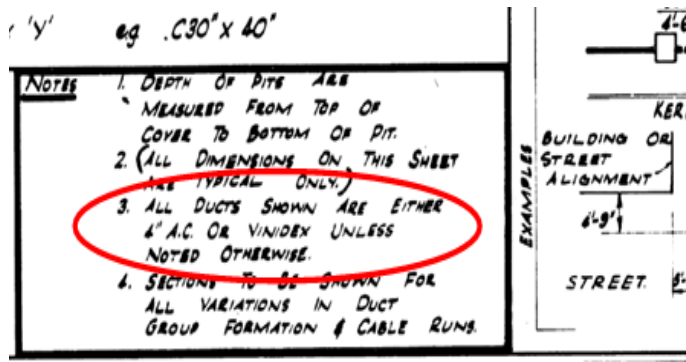
## ASBESTOS DUCTS

1. Duct codes of **E, F** and **G** identify Fibro Conduit

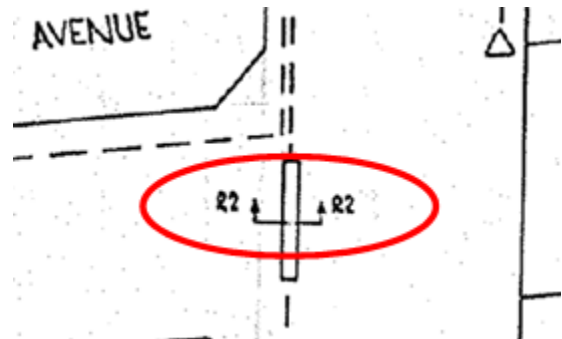
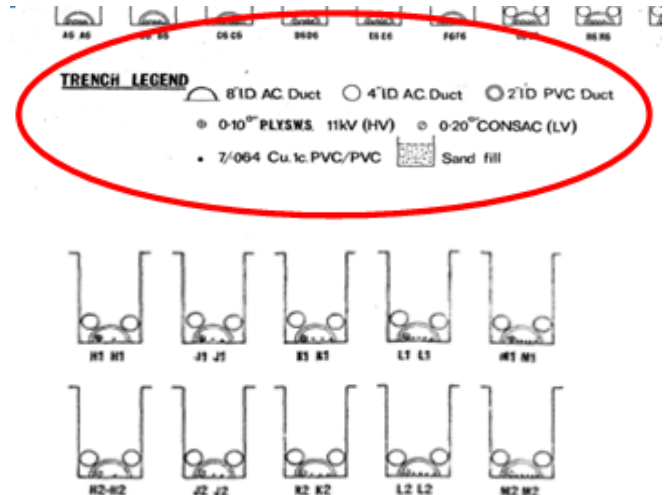


If underground details have not been captured and drawings are used, the method for identifying asbestos ducts and standards are different for the different utilities that amalgamated with Endeavour Energy. Using Reticulation Drawings, there are numerous ways to determine if a duct route has asbestos ducts, refer to following examples:

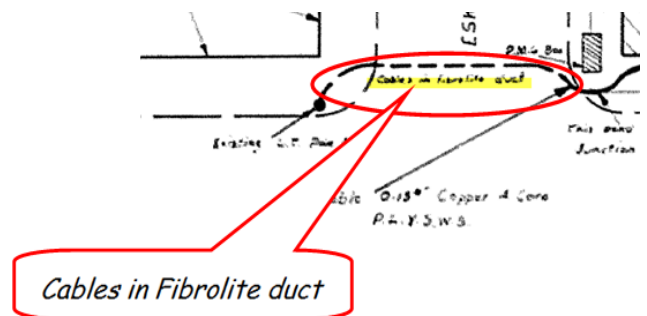
2. **AC** (Asbestos Cement) acronym



3. The duct codes **G,H,J,K,L,M Q,R,S,T,U,V,W & X** under each configuration is used on old Blue Mountains drawings to represent Asbestos.


















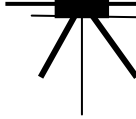
4. **Fibrolite** (asbestos) ducts



**If you are NOT able to identify the material used assume that it contains ASBESTOS and if further clarification is required, call 02 9853 4161 for assistance.**

## STANDARD UNDERGROUND SYMBOLS / LABELS

**NOTE: If symbology has not been provided on the plan use symbols as shown below.**

 or 	Street light column
	Padmount substation
 or 	Overground pillar (O.G.Box)
	Underground pit
	Duct run
	Cable run
	Typical duct section
	Typical underbore section
	Blocked duct
	Cable section
	STJ, PBJ
<b>STJ</b>	Straight through joint
<b>PBJ</b>	Parallel branch joint
	Underground to overhead pole
<b>SL</b>	Streetlight conductor
<b>SC</b>	Service cable
<b>SE</b>	Cable sealed end
<b>SF</b>	Service Feeder
<b>OS</b>	Out of Service
<b>O.A.M.</b>	Over awning main
<b>U.A.M.</b>	Under awning main
<b>N.I.S.</b>	Not in service
	Shared trenching
	Service point of attachment

### DUCT CODE LABELS

**B** = 50 mm PVC

**D** = 125mm PVC

**E** = 100mm Fibro Conduit (Asbestos)

**F** = 140mm Fibro Conduit (Asbestos)

**G** = 150mm Fibro Conduit (Asbestos)

### DEPTH & LOCATION LABELS

**0.5- 0.7 COV** = 500mm – 700mm  
Standard Depth (Not Shown on Plans)

**0.9 COV** = 900mm Depth

**UNK COV** = Depth Unknown

**LOC UNK** = Location Unknown

**0.6 PL** = Standard Location 600mm from  
Property Line (Not Shown on Plans)

**0.9 PL** = Located 900mm from Property Line



# Network Protection

## High Pressure - Assets Affected

In reply to your enquiry, there are **High Pressure Gas Mains** in the vicinity of your intended work, as generally illustrated on the attached map. There may also be other mains or services at the location, as discussed in the warning below. For an explanation of the map, please see the key below.

The following excavations guidelines apply:

### Excavation Guidelines:

Prior to **any** excavations in this area, you **must** contact the High Pressure Response Coordinator on **1300 665 380**. **(Please note that a minimum two working days notice is required)** to arrange a survey.

For all works in the vicinity of High Pressure Gas Mains you must arrange for a Pipeline Technician to attend and supervise all excavations. Charges apply for attendance of any works outside the hours of 7am to 4pm, Monday to Friday ("**Standard Business Hours**") and for any attendance during Standard Business Hours that is longer than 2 hours.

In accordance with clause 34(5) of the Gas Supply (Safety and Network Management) Regulation 2013 (NSW), you should be informed that all excavation, (including pot-holing by hand to confirm the location of pipes) should be performed in accordance with "**Work Near Underground Assets Guideline**" published in 2007 by the Work Cover Authority.

A copy of this Guideline is available at: [www.workcover.nsw.gov.au](http://www.workcover.nsw.gov.au)

### KEY

MAX ALLOWABLE OPERATING PRESSURE				
T	TRUNK MAIN	7000 kPa	123	VALVE
P	PRIMARY MAIN	3500 kPa	123S	SYSTEM PRESSURE REGULATOR
S	SECONDARY MAIN	1050 kPa	123S	SIPHON
		300 kPa	6NB	NETWORK NODES
		210 kPa	150MM	ITEM DETAIL SKETCH AVAILABLE
		7 kPa	110MM PE/NY	VALVE NUMBER (OLD NUMBERING)
400		400 kPa	6NB 50MM NY	6 INCH CAST IRON MAIN
100		100 kPa	1.2MBL	150MM STEEL MAIN
		2 kPa	1957	110MM POLYETHYLENE/NYLON MAIN
←-----→	PROPOSED MAINS		+	50MM NYLON INSERTED INTO
			+	6NB MAIN CAST IRON MAIN
			+	DISTANCE IN METRES OF MAIN FROM
			+	BUILDING LINE (TOLERANCE OF 0.4M)
			+	YEAR LAID
			+	MUNICIPALITY BOUNDARY
			+	NETWORK BOUNDARY
			+	HOUSE NUMBER
			+	STEEL MAIN PROJECT NUMBER
			+	PRESSURE MONITORING STATION

**Warning:** The enclosed plans show the position of Jemena Gas Networks (NSW) Ltd's underground gas mains and installations in public gazetted roads only. **Individual customers' services and services belonging to other third parties are not included** on these plans. These plans have been prepared solely for the use of Jemena Gas Networks (NSW) Ltd and Jemena Asset Management Pty Ltd (together "**Jemena**") and any reliance placed on these plans by you is entirely at your own risk. The plans may show the position of underground mains and installations relative to fences, buildings etc., as they existed at the time the mains etc were installed. The plans may not have been updated to take account of any subsequent change in the location or style of those features since the time at which the plans were initially prepared. Jemena makes no warranty as to the accuracy or completeness of the enclosed plans and does not assume any duty of care to you nor any responsibility for the accuracy, adequacy, suitability or completeness of the plans or for any error, omission, lack of detail, transmission failure or corruption in the information provided. Jemena does not accept any responsibility for any loss that you or anyone else may suffer in connection with the provision of these plans, however that loss may arise (including whether or not arising from the negligence of Jemena, its employees, agents, officers or contractors). The recipient of these plans must use their own care and diligence in carrying out their works and must carry out further surveys to locate services at their work site. Persons excavating or carrying out other earthworks will be held responsible for any damage caused to Jemena's underground mains and equipment. Jemena advises that you may be required to carry out potholing by hand if required by a Pipeline Technician to confirm the location of Jemena's main and installations. This must also be performed by you under the supervision of a Pipeline Technician and be carried out in accordance with the Working Near Underground Assets Guideline published in 2007 by Work Cover Authority

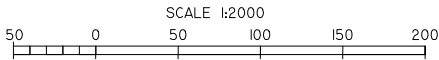
**In case of Emergency Phone 131 909 (24 hours)**

Admin  
1300 880 906

**Jemena Asset Management Pty Ltd ABN 53 086 013 461**  
**for and on behalf of Jemena Gas Networks (NSW) Ltd ABN 87 003 004 322**



BLACKTOWN  
4A



THIS MAP UPDATED ON 09/01/2014  
THIS PLAN IS DIAGRAMATIC ONLY. DISTANCES  
SCALED FROM THIS PLAN MAY NOT BE ACCURATE.

RH3D	BIC	BID
RH6B	B4A	B4B
RH6D	B4C	B4D

ADJOINING MAPS

848	BLACKTOWN
056	

NETWORK AREA MUNICIPALITY AREA

Jemena

KEY		
MAX ALLOWABLE OPERATING PRESSURE		
T	TRUNK PIPELINE	7000 kPa
P	PRIMARY MAIN	3500 kPa
S	SECONDARY MAIN	1050 kPa
400	NETWORK MAIN	400 kPa
300	NETWORK MAIN	300 kPa
210	NETWORK MAIN	210 kPa
100	NETWORK MAIN	100 kPa
30	NETWORK MAIN	30 kPa
7	NETWORK MAIN	7 kPa
2	NETWORK MAIN	2 kPa
PR 17-2-3	STEEL MAIN PROJECT NUMBER	
P	PRESSURE MONITORING STATION	
V	VALVE	
SR	SYSTEM PRESSURE REGULATOR	
S	SIPHON	
N	NETWORK NODE	
NV	NETWORK VALVE NODE	
N	VALVE NUMBER	
6NB	6 INCH CAST IRON MAIN	
150MM	150MM STEEL MAIN	
110MM PE/NY	110MM POLYETHYLENE/NYLON MAIN	
50NB 50MM NY	50MM NYLON INSERTED INTO 6NB MAIN CAST IRON MAIN	
1.2MBL	DISTANCE IN METRES OF MAIN FROM BOUNDARY LINE	
1957	YEAR LAID	
++	MUNICIPALITY BOUNDARY	
==	NETWORK BOUNDARY	
123	HOUSE NUMBER	

BLACKTOWN 4A

**Network Operations– Asset Analysis**  
Unit 9, 677 Springvale Road  
Mulgrave, Victoria, 3178

Date: 13/06/2014  
To: Mr Nathan Hegerty  
Company:  
Address: PO Box 5711  
Port Macquarie, Nsw 2444

#### **ENQUIRY DETAILS**

Location: 45 Tattersall Road, Kings Park, NSW 2148  
Sequence No.: 34494222  
DBYD Reference: 7524070

In relation to your enquiry of the above address, Optus advises as follows:

**The records of Optus disclose that there ARE underground FIBRE OPTIC TELECOMMUNICATIONS cables in the vicinity of the above enquiry as per the attached plan(s). This reply is valid for a period of 30 days from the date above.**

#### **IMPORTANT INFORMATION**

Drawings and Plans provided by Optus are reference diagrams which were correct at the time the asset was built. Exact ground cover and alignments cannot be provided with any certainty as these may alter over time. Depths of Telecommunications plant vary considerably as do alignments. It is essential to uncover the asset and positively identify the assets exact location.

Optus plans are provided as a guide only and the completeness of the information cannot be guaranteed.

#### **“DUTY OF CARE”**

When working in the vicinity of Telecommunications plant you have a legal “Duty of Care” that must be observed.

It is the responsibility of the owner and any consultant engaged by the owner, including an architect, consulting engineer, developer and head contractor to design for minimal impact to Optus plant. Optus will provide assistance at this design stage through the provision of plans and sketches or consultation.

It is the owner’s (or constructor’s) responsibility to:-

- a) Request plans of Optus plant for a particular location at a reasonable time before construction begins. If you have doubts about the presence of Optus assets we strongly recommend that you engage an Optus Accredited plant locator.
- b) Visually locate Optus plant by hand digging or using non-destructive water jet method where construction activities may damage or interfere with Optus plant
- c) Contact Optus Network Operations – Asset Analyst (details below) if Optus plant is wholly or partly located near construction activities

## CRIMINAL CODE ACT 1995

The following is an extract from the Criminal Code Act 1995 and is applicable to Optus plant

### **Chapter 10** National infrastructure

#### **Part 10.6** Telecommunications Services

#### **Division 474** Telecommunications offences

#### **Sect 474.6** Interference with facilities

- 1) A person is guilty of an offence if the person tampers with, or interferes with, a facility owned or operated by:
  - (a) a carrier; or
  - (b) a carriage service provider; or
  - (c) a nominated carrier.

Penalty: Imprisonment for 1 year.

- 2) For the purposes of an offence against subsection (1), absolute liability applies to the physical element of circumstance of the offence, that the facility is owned or operated by a carrier, a carriage service provider or a nominated carrier.
- 3) A person is guilty of an offence if:
  - (a) the person tampers with, or interferes with, a facility owned or operated by:
    - i.a carrier; or
    - ii.a carriage service provider; or
    - iii.a nominated carrier; and
  - (b) this conduct results in hindering the normal operation of a carriage service supplied by a carriage service provider.

Penalty: Imprisonment for 2 years.

- 4) For the purposes of an offence against subsection (3), absolute liability applies to the following physical elements of circumstance of the offence:
  - (a) that the facility is owned or operated by a carrier, a carriage service provider or a nominated carrier;
  - (b) that the carriage service is supplied by a carriage service provider.
- 5) A person is guilty of an offence if:
  - (a) the person uses or operates any apparatus or device (whether or not it is comprised in, connected to or used in connection with a telecommunications network); and
  - (b) this conduct results in hindering the normal operation of a carriage service supplied by a carriage service provider.

Penalty: Imprisonment for 2 years.

## **DAMAGE**

### **ANY DAMAGE TO OPTUS NETWORK MUST BE REPORTED TO 1800 500 253 IMMEDIATELY**

The owner is responsible for all plant damage when works commence prior to obtaining Optus Drawings, or failure to follow instructions.

Optus reserves the right to recover compensation for loss or damage to its cable network and other property including consequential loss

## **ASSET RELOCATIONS**

You are not permitted to relocate or alter any Optus assets or network under any circumstance.

For all enquiries relating to the relocation of Optus assets please email [Fibre.Locations@optus.net.au](mailto:Fibre.Locations@optus.net.au)

## ESSENTIAL PRECAUTIONS AND APPROACH DISTANCES

**Note: If the following clearances cannot be maintained, please contact Optus Network Operations Asset Analysis Team for advice on how to resolve the situation.**

1. On receipt of plans and before commencing excavation work or similar activities near Optus plant, carefully locate the plant first to avoid damage. Engage an Optus accredited locator to undertake exposure of the Optus plant when working within the following approach distances.

Where Optus plant is in an area where road and footpaths are well defined by kerbs or other features a minimum clear distance of 1.0m must be maintained from where it could be reasonably presumed that plant would reside.

In non established or unformed reserves this distance must be at least 3 metres.

In country or rural areas which may have wider variations in reasonably presumed plant presence, the following minimum approach distance applies:

- a) Parallel to plant: 5 metres

**Note: Indicated depths may vary significantly and pot-holing needs to be undertaken within extreme care, commonsense and using techniques least likely to damage cables. Potholing is only to be undertaken by an Optus accredited plant location contractor.**

If construction work is parallel to Optus plant, then careful hand digging or using non destructive water jet method (pot holing) at least every 5m is required to establish the location of the plant, confirming the location of the plant prior to work commencing.

Under no circumstances is crossing of Optus plant to be performed without first exposing the Optus plant and having an Optus representative present onsite.

2. Maintain the following minimum clearance between construction activity and the actual location of Optus plant.

<b>Jackhammers / Pneumatic Breakers</b>	Not within 1.0m of actual location
<b>Vibrating Plate or Wacker Packer Compactor</b>	Not within 0.5m of actual location  300mm compact clearance before compactor can be used across Optus ducts  750mm compact clearance cover before compactor can be used across Optus <i>Direct Buried</i> cable
<b>Boring Equipment (in-line, horizontal and vertical)</b>	Not within 5.0m of actual location without Optus representative onsite  Constructor to hand dig or non-destructive water jet method (pot holing) and expose the Optus plant  Not to cross the Optus plant without first exposing the plant at the crossing point and without Optus representative onsite
<b>Heavy vehicle Traffic (over 3 tonnes)</b>	Not to be driven across Optus ducts or plant with less than 600mm of cover  Depth to be verified via hand digging
<b>Mechanical Excavators, Farm ploughing, Boring, Tree removal, fencing</b>	Not within 1.0m of actual location  Constructor to hand dig or use non-destructive water jet method (pot holing) and expose plant

All Optus pits and manholes should be a minimum of 1.0m in from the back of kerb or within 15m of street intersection after the completion of your work.

All Optus conduit should have the following minimum depth of cover **after the completion of your work:-**

- **Footway                      600mm**
- **Roadway                1000mm at drain invert and at road centre crown**

In cases where it is considered that these clearances cannot be maintained at the completion of works advice is to be sought from the Optus Damages and Relocations Team

## FURTHER ASSISTANCE

Assistance can be obtained by contacting Optus Network Operations Asset Analysis on **1800 505 777**

Where an on-site location is provided, the owner is responsible for all costs associated with hand digging or use of non-destructive water jet method (pot holing) to visually locate and expose Optus plant.

If plant location drawings or visual location of Optus plant by digging reveals that the location of Optus plant is situated wholly or partly where the owner plans to work, then Optus Damages and Relocates Team must be contacted through Optus Network Operations Asset Locations to discuss possible engineering solutions.

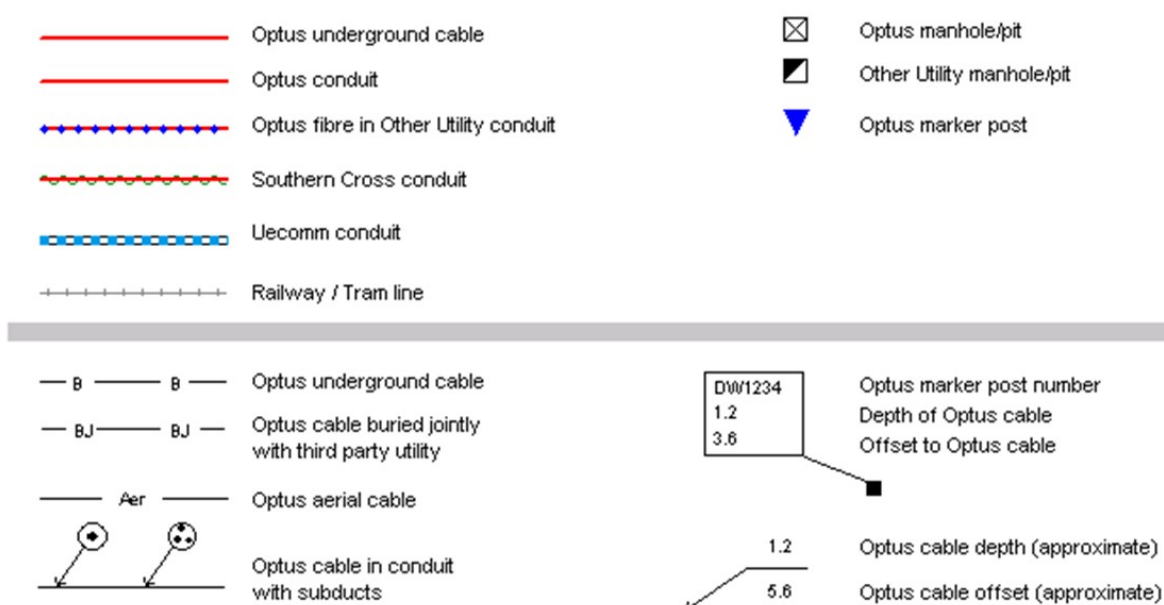
## PRIVATE RESIDENTIAL LANDOWNERS and RURAL LANDOWNERS

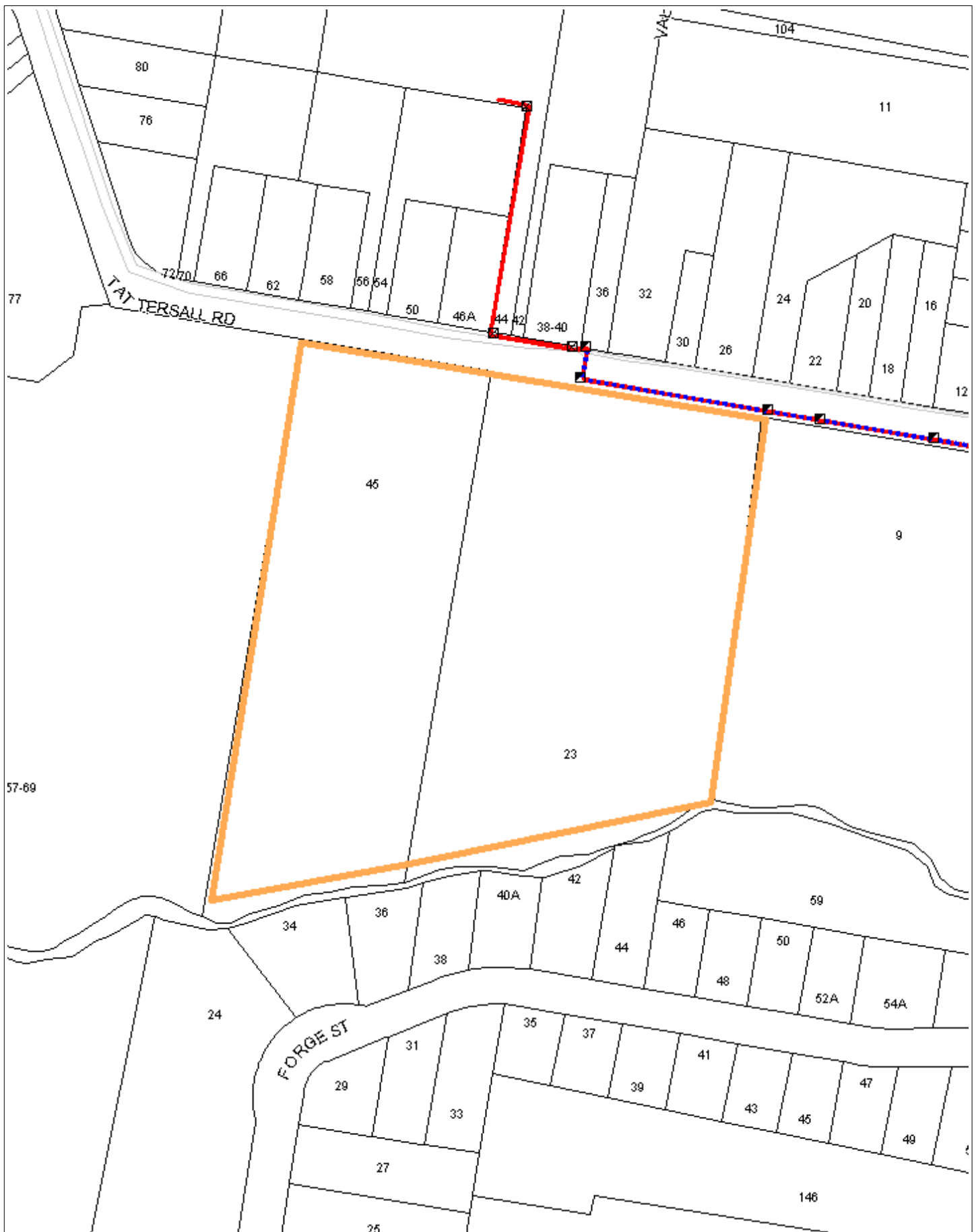
Where Optus owned cable crosses private residential property or agricultural land, Optus may provide a once off free onsite electronic cable location. Optus Network Operations Asset Analyst will provide assistance in determining whether a free on-site location is required.

Please note:

- The exact location, including depth of cables can only be verified by pot holing which is not covered under this service
- This service is only available to assist private residential land owners and rural land owners
- The service covers one hour onsite only. Additional time will be charged at the current nominal rate.

## OPTUS ENGINEERING DRAWING SYMBOLS





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Sequence Number: 34494222

Date Generated: 13/06/2014



For all Optus DBYD plan enquiries –  
Email: [Fibre.Locations@optus.net.au](mailto:Fibre.Locations@optus.net.au)  
For urgent onsite assistance contact 1800 505 777  
Optus Limited ACN 052 833 208





## Response Cover Letter

Date: 13/06/2014

**PIPE Networks**  
Level 17, 127 Creek St  
Brisbane QLD 4000  
Phone: +61 732339895  
Fax: +61 732339880

**To:**

Mr Nathan Hegerty  
ERM - Mr Nathan Hegerty  
PO Box 5711  
Port Macquarie  
Nsw  
2444

- Customer ID: 1014066

Email: nathan.hegerty@erm.com  
Phone: 0265847155  
Fax: 0265847160  
Mobile: 0428627876

Dear Mr Nathan Hegerty

The following is our response to your Dial Before You Dig enquiry.

**Assets Affected:** PIPE Networks, Telstra

**Sequence Number:** 34494219

**Location:** 45 Tattersall Road  
Kings Park  
NSW  
2148

**Commencement Date:** 18/06/2014

Please read over the attached documents for more information about your enquiry.

**DISCLAIMER:** No responsibility/liability is taken by PIPE Networks for any inaccuracy, error, omission or action based on the information supplied in this correspondence.

**Note:** If the works fall in an area that adjacent to PIPE Networks infrastructure, a pre-inspection is required prior to commencement of works. Contact PIPE Networks to arrange an inspection time. **NO WORKS TO COMMENCE PRIOR TO INSPECTION.**



Level 17, PIPE Networks House, 127 Creek Street, Brisbane 4000  
PH:(07) 3233 9895 FAX:(07) 3233 9880

Attention: Mr Nathan Hegerty  
Fax: 0265847160  
DBYD Enquiry Number: 34494219

Date: 13/06/2014

Location: 45 Tattersall Road  
Kings Park  
NSW  
2148

### DBYD ENQUIRY RETURN:

PIPE Networks **DOES** own or operate telecommunications network infrastructure within the area detailed above.

The affected network **is contained in the PIPE Networks duct network** and can be found on **PIPE Networks** own network plans.

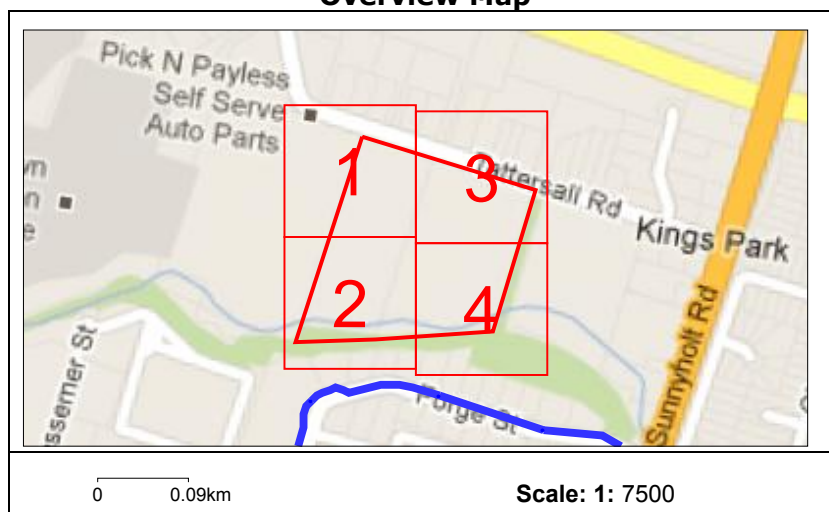
**This network is vital to our operations and as such, it is critical that no works commence within the area until a PIPE Networks representative has contacted you.**

A PIPE Networks representative will contact you within 24 hours to further discuss your intended works. If you do not hear from PIPE networks within 24hours please call us for assistance.

Due to continued network expansion, this network information can only be considered valid and accurate for 28 days from issue.

PIPE Networks will seek compensation for any damage to its network through negligence or ignorance of your duty of care.

### Overview Map



PIPE Networks (for information specific to this job only)  
Ph (07) 3233 9895  
Email: [dbyd@pipenetworks.com](mailto:dbyd@pipenetworks.com)

**DISCLAIMER:** No responsibility/liability is taken by PIPE Networks for any inaccuracy, error, omission or action based on the information supplied in this correspondence.

**Note:** If the works fall in an area that adjacent to PIPE Networks infrastructure, a pre-inspection is required prior to commencement of works. Contact PIPE Networks to arrange an inspection time. **NO WORKS TO COMMENCE PRIOR TO INSPECTION.**

Only PIPE Networks' duct displayed.

For location of PIPE Networks cable in third-party duct, please contact third-party named on attached cover letter.



Enquiry Number: 34494219

Map Sheet: 1

Scale: 1:750

0 0.008km

#### LEGEND

DBYD Request Area

Asset

Line



Manhole



Area



Duct

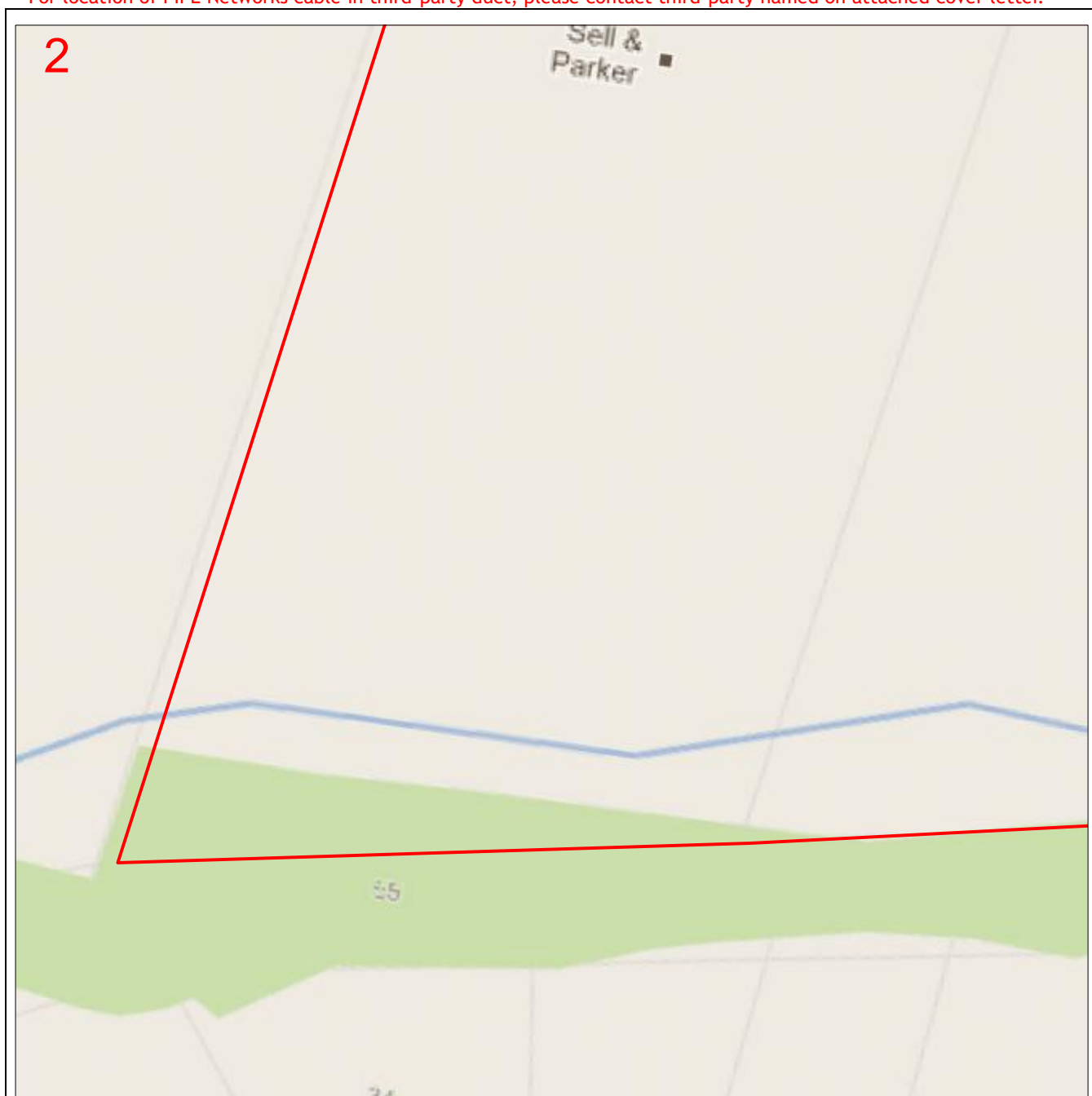


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**Note:** If the works fall in an area that is adjacent to PIPE Networks infrastructure, a pre-inspection is required prior to commencement of works. Contact PIPE Networks to arrange an inspection time. **NO WORKS TO COMMENCE PRIOR TO INSPECTION.**

Only PIPE Networks' duct displayed.

For location of PIPE Networks cable in third-party duct, please contact third-party named on attached cover letter.



Enquiry Number: 34494219

Map Sheet: 2

Scale: 1:750

0 0.008km

### LEGEND

DBYD Request Area

Asset

Line



Manhole



Area



Duct



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**Note:** If the works fall in an area that is adjacent to PIPE Networks infrastructure, a pre-inspection is required prior to commencement of works. Contact PIPE Networks to arrange an inspection time. **NO WORKS TO COMMENCE PRIOR TO INSPECTION.**

Only PIPE Networks' duct displayed.

For location of PIPE Networks cable in third-party duct, please contact third-party named on attached cover letter.



Enquiry Number: 34494219

Map Sheet: 3

Scale: 1:750

0 0.008km

#### LEGEND

DBYD Request Area

Asset

Line



Manhole



Area



Duct



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**Note:** If the works fall in an area that is adjacent to PIPE Networks infrastructure, a pre-inspection is required prior to commencement of works. Contact PIPE Networks to arrange an inspection time. **NO WORKS TO COMMENCE PRIOR TO INSPECTION.**

Only PIPE Networks' duct displayed.

For location of PIPE Networks cable in third-party duct, please contact third-party named on attached cover letter.



Enquiry Number: 34494219

Map Sheet: 4

Scale: 1:750

0 0.008km

#### LEGEND


DBYD Request Area

Asset

 Line

 Manhole

 Area

 Duct



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**Note:** If the works fall in an area that is adjacent to PIPE Networks infrastructure, a pre-inspection is required prior to commencement of works. Contact PIPE Networks to arrange an inspection time. **NO WORKS TO COMMENCE PRIOR TO INSPECTION.**



Level 17, PIPE Networks House, 127 Creek Street, Brisbane 4000  
PH:(07) 3233 9895 FAX:(07) 3233 9885

### **DBYD ENQUIRY RETURN:**

PIPE Networks **DOES** own or operate telecommunications network infrastructure within the request area detailed above.

The affected network infrastructure is contained within the **Telstra** duct network and can be found listed on the appropriate **Telstra** duct Network plans.

THIS NETWORK IS VITAL TO OUR OPERATIONS AND AS SUCH, IT IS CRITICAL THAT **NO WORKS** COMMENCE WITHIN THE AREA UNTIL YOU HAVE RECEIVED AND APPRAISED THE TELSTRA DUCT PLANS FOR THIS AREA.

Due to continued network expansion, this network information can only be considered valid and accurate for 28 days from issue.

PIPE Networks will seek compensation for any damage to its network through negligence or ignorance of your duty of care.

PIPE NETWORKS

Ph (07) 3233 9895

Email: dbyd@pipenetworks.com

(for information specifically on this job only)

Annex K

## Conceptual Site Model (CSM)

Site	Source		Pathway	Receptor	SPR Linkage / Comments
Existing site (45 Tattersall Road)	Former site uses	Impacted soils from former site operations relating to boiler-making and construction (heavy metals, & ACM)	Direct contact	Existing on-site workers	Unlikely: Due to affected areas covered by hardstanding and no proposals to excavate waste cell areas
				Intrusive maintenance workers (current and future)	Potential linkage in the event that impacted waste cells are exposed, however waste is currently under concrete; there are no plans to breach the hardstanding as part of this EIS. In the event that excavation is required, any potential environmental risks could be controlled through a management plan.
			Groundwater: constituents of concern mobilised through groundwater	Groundwater beneficial use: Drinking water bores on- and off-site	Unlikely: Although a theoretical beneficial groundwater use, unlikely due to reticulated water supply, poor regional groundwater quality and low yield
		Impacted soils from former site operations relating to construction and farmland use (OCPs, OPPs)	Groundwater: constituents of concern mobilised through groundwater	Groundwater beneficial use: Drinking water bores on- and off-site	Unlikely: Although a theoretical beneficial groundwater use, unlikely due to reticulated water supply, poor regional groundwater quality and low yield
		Contaminated cells (anecdotal evidence provided by Sell and Parker, possibly from former USTs or zinc impacted soils from beneath a former saw mill building)	Direct contact	Existing on-site workers	Unlikely: Due to affected areas covered by hardstanding and no proposals to excavate waste cell areas
				Intrusive maintenance workers (current and future)	Potential linkage in the event that impacted waste cells are exposed, however waste is currently under concrete; there are no plans to breach the hardstanding as part of this EIS. In the event that excavation is required, any potential environmental risks could be controlled through a management plan.
			Groundwater: constituents of concern mobilised through groundwater	Groundwater beneficial use: Drinking water bores on- and off-site	Unlikely: Although a theoretical beneficial groundwater use, unlikely due to reticulated water supply, poor regional groundwater quality and low yield
	Current site uses	Metal recycling equipment (pre-shredder, shredder, shear)	Direct contact	Existing on-site workers	Unlikely: Due to solid nature of materials and existing operational controls
		Raw material stockpiles: - flock stockpile - rubber tyre loader	Fugitive emissions to air	Off-site commercial workers and residences	Potential: Currently managed through site operational controls such as EPL and complaints register
		Maintenance workshop including oils, paints, degreasers (BTEX, TRH, PAHs, lead and other metals)	Direct contact	Existing on-site workers	Potential: Currently managed through site operational controls such as EPL and PPE
			Surface water: via surface run-off into Breakfast Creek	Ecological receptors associated with Breakfast Creek	Potential: Currently managed via stormwater controls under EPL.
		IBCs & liquid waste from vehicles	Groundwater: via preferential pathways such as subsurface utility trenches	Groundwater: Drinking water bores on- and off-site	Unlikely: Site covered with hardstanding, any spillages likely to run to detention basin in first instance
			Surface water: via surface run-off into Breakfast Creek	Ecological receptors associated with Breakfast Creek	Potential: Currently managed via stormwater controls under EPL.
	Future site uses	Stormwater retention dam (clay-lined) with oil-skimming system	Groundwater: via preferential pathways such as subsurface utility trenches	Groundwater: Extraction bores off-site	Unlikely: Regional groundwater quality is low and unlikely to be for beneficial (drinking water) use. No registered bores on-site.
			ASTs	On- and off-site workers	Unlikely: Releases from ASTs likely to dissipate rapidly
			Fugitive emissions to air	Future site workers, neighbours and off-site residents	No additional SPR linkages to consider
Proposed site (23-43 Tattersall Road)	Former site uses	Impacted soils from previous land-use such as farmland (OCPs & OPPs), TRH from former tanks.	Direct contact	Existing on-site workers	Unlikely: Due to affected areas covered by hardstanding and no proposals to excavate waste cell areas
				Intrusive maintenance workers (current and future)	Potential linkage in the event that impacted waste cells are exposed, however waste is currently under concrete; there are no plans to breach the hardstanding as part of this EIS. In the event that excavation is required, any potential environmental risks could be controlled through a management plan.
			Groundwater: constituents of concern mobilised through groundwater	Groundwater beneficial use: Drinking water bores on- and off-site	Unlikely: Regional groundwater quality is low and unlikely to be for beneficial (drinking water) use. No registered bores on-site.
	Current site use	Dangerous Goods Storage: Paints, cleaners, fuel and other flammable liquids (associated with DG Depots 1 and 5-10)	Direct contact	Existing on-site workers	Unlikely: Due to affected areas covered by hardstanding and no proposals to excavate waste cell areas
			Surface water: via surface run-off into Breakfast Creek	Ecological receptors associated with Breakfast Creek	Potential: Currently managed via stormwater controls under EPL.
			Groundwater: constituents of concern mobilised through groundwater and/or via preferential pathways such as subsurface utility trenches	Groundwater: Extraction bores off-site	Unlikely: Regional groundwater quality is low and unlikely to be for beneficial (drinking water) use. No registered bores on-site.
		Dangerous Goods Storage: ASTs associated with DG Depots 2, 3 and 4.	Direct contact	Existing on-site workers	Unlikely: Due to affected areas covered by hardstanding and no proposals to excavate waste cell areas
			Fugitive emissions to air	On- and off-site workers	Unlikely: Releases from ASTs likely to dissipate rapidly
		Paint/washing concrete sump (phosphate and detergents)	Groundwater: constituents of concern mobilised through groundwater	On- and off-site workers	Potential: Concrete-lined sump, with limited possibility of locally impacted soils which may need to be managed/removed during redevelopment works.
		Existing buildings with ACM	Inhalation of asbestos fibres	Future site workers such as demolition contractors	Potential: Development and implementation of an Asbestos Management Plan, would enable ACM to be appropriately managed during any demolition works of affected buildings.
		Paint stack and emissions from ventilation systems	Deliberate emissions through stack and vent systems	Releases / emissions to air	Potential: Current operations are managed through EPL. Paint stack and emissions will not be continued as part of future site usage. An air quality and odour assessment is being completed which is likely to address any concerns or give suitable recommendations for their management in regards to emissions from ventilation systems associated with the expanded waste recycling activities.
	Future site use	Proposed land-use likely to produce similar SPRs as existing site	As above	Future site workers, neighbours and off-site residents	No additional SPR linkages to consider
Applicable to both sites	Off-site sources	Neighbouring properties (Bostik, scrap car yard) and more distant ones associated with groundwater monitoring bores ~160-370m to the east (hydraulically up-gradient) of the site.	Groundwater: constituents of concern mobilised through groundwater	Existing on-site workers Off-site commercial workers and residences Local groundwater Surface water (Breakfast Creek)	Potential: However regional groundwater quality is low and unlikely to be for beneficial (drinking water) use. No registered bores on-site. In practice also considered unlikely based on the distances involved and requirement for this to be managed by relevant parties and authorities.

Legend:

	= source-pathway-receptor linkage considered unlikely
	= source-pathway-receptor linkage potential, although appropriate controls (such as Environment Protection Licence) are currently in place
	= source-pathway-receptor linkage potentially complete and further consideration is warranted

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